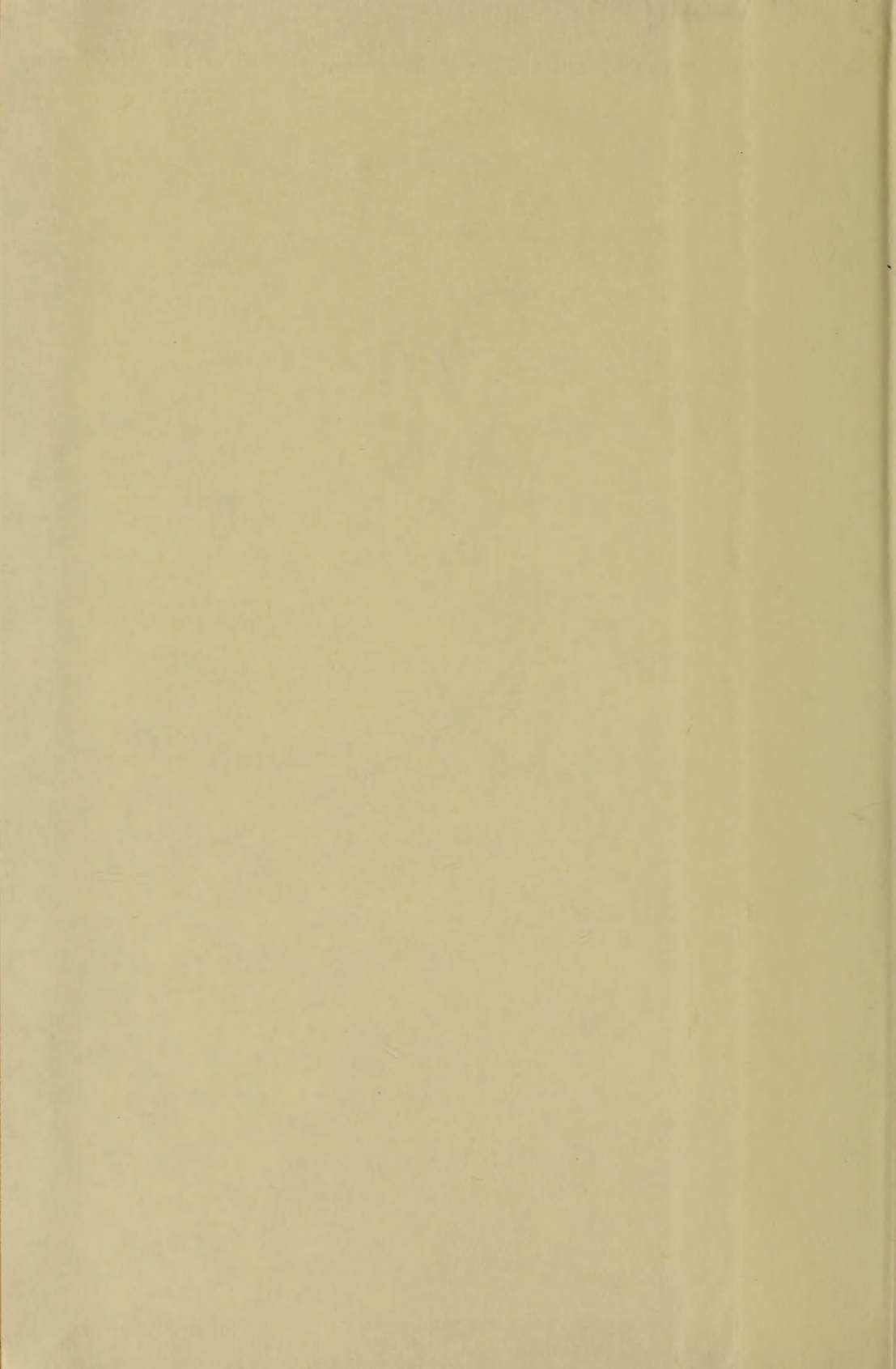






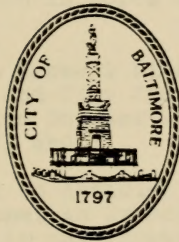
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Baltimore. Ordinances, etc.

ORDINANCES AND RESOLUTIONS
OF THE
MAYOR AND CITY COUNCIL
OF BALTIMORE

PASSED AT THE ANNUAL SESSION 1987-1988



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ORDINANCES AND RESOLUTIONS
OF THE
MAYOR AND CITY COUNCIL
OF BALTIMORE

PASSED AT THE ANNUAL SESSION 1957-1958



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ORDINANCES
PASSED AT THE ANNUAL SESSION
1987-1988

ORDINANCE NO. 1

(Council No. 34)

AN ORDINANCE concerning

URBAN RENEWAL - PORT COVINGTON - AMENDMENT NO. 2

FOR the purpose of amending the Urban Renewal Plan for Port Covington to, among other things, authorize the acquisition of certain properties by the Mayor and City Council of Baltimore; create and/or expand disposition lots for economic and industrial use; recommend certain zoning district changes and provide that the approval of this Ordinance shall not be construed as enactment of such zoning changes; revise certain Exhibits attached to the Urban Renewal Plan to reflect the changes provided herein; provide for the separability of the various parts and applications of this Ordinance; and provide that where the provisions of this Ordinance shall conflict with any other Ordinance, Code, or regulation in force for an effective date for this Ordinance.

WHEREAS, An Urban Renewal Plan for Port Covington was approved by the Mayor and City Council of Baltimore by Ordinance No. 1075, approved dated October 22, 1987, Ordinance No. 1179, dated December 7, 1987; and

WHEREAS, Pursuant to Article 13 of the Baltimore City Code (1983 Replacement Volume, as amended), no substantial change or changes shall be made in any renewal plan, after approval by ordinance, without such change or changes first being adopted and approved in the same manner as set forth in said Article 13 for the approval of a renewal plan, namely the preparation of such change or changes by the Department of Housing and Community Development the approval of such change or changes by the Director of the Department of Planning, and approval and adoption by an ordinance of the Mayor and City Council of Baltimore after a public hearing in relation thereto, all in the manner set forth in Article 13; and

WHEREAS, extensive changes in the Urban Renewal Plan for Port Covington make it infeasible to make line-by-line changes; therefore, the Department of Housing and Community Development has prepared an amended Urban Renewal Plan for Port Covington; and

WHEREAS, said amended Urban Renewal Plan has been approved Master Plan, its conformity to the rules and regulations for

subdivisions, and all zoning changes proposed in the amended Renewal Plan; and said amended Urban Renewal Plan has been approved and recommended to the Mayor and City Council of Baltimore by the Commissioner of the Department of Housing and Community Development; now therefore,

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the following amendments and changes to the Renewal Plan for Port Covington, identified as "Urban Renewal Plan, Port Covington....revised to include Amendment No. 2, dated January 11, 1988", having been dully reviewed and considered, are hereby approved, and the Clerk of the City Council is hereby directed to file a copy of said amended Renewal Plan with the Department of Legislative Reference as a permanent public record and to make the same available for public inspection and information.

SEC. 2. AND BE IT FURTHER ORDAINED, That it is necessary to acquire, by purchase or by condemnation, for urban renewal purposes and/or the public purpose of the industrial and economic growth of Baltimore City, the fee simple interest, leasehold interest or any lesser interest in and to certain properties, portions thereof, together with all right, title, interest, and estate that the owner or owners of said property interest may have in all streets, alleys, ways or lanes, public or private, both abutting the whole area described and/or contained within the perimeter of said area, situate in Baltimore City, Maryland, and described as follows:

1 BEGINNING for the same at the point formed by the intersection of the west side of Light Street, 82.5 feet wide and the south side of Cromwell Street, 53 feet wide and running thence binding on the south side of said Cromwell Street, Easterly 82.5 feet to the east side of said Light Street; thence binding on the east side of said Light Street, Southerly 1516 feet, more or less, to the Mean High Line of the Middle Branch of the Patapsco River; thence meandering along the Mean High Tide Line of the Middle Branch of the Patapsco River, Southwesterly, Northerly and Westerly 140 feet, more or less, to the west side of said Light Street and thence binding on the west side of said Light Street, Northerly 1463 feet, more or less, to the place of beginning.

2 BEGINNING for the same at the intersection formed by the North side of Cromwell Street 66 feet wide and the West side of South Charles Street 66 feet wide said beginning point being at the end of the 4th or South 352' 2" line of the deed from the Middleton Realty Company to Curtis Bay Shipley Realty Corporation dated February 20, 1945 and recorded in the Land Records of Baltimore City in Liber M.L.P. 6708 page 271 etc. Running thence reversely on said 4th and part of the 3rd line of said deed the two following courses and distances 1) North 03 degrees 02 minutes 30 seconds west 352.17 feet to the outline of the Winans Estate, thence leaving said West side of South Charles Street and binding on the outline of the Winans Estate and 2) South 88

degrees 11 minutes West 150.94 feet thence leaving said outline of the Winans Estate and running parallel to South Charles Street 3) South 03 degrees 02 minutes 30 seconds East 234.94 feet to a point 120 feet North of Cromwell Street, thence parallel to Cromwell Street 4) South 87 degrees 08 minutes West 25.00 feet to a point, thence parallel to South Charles Street 5) South 03 degrees 02 minutes 30 seconds East 120 feet to the North side of Cromwell Street and to a point on the 5th line of the 1st mentioned deed to Curtis Bay Shipley Realty Corporation running thence reversely on said 5th line and on the North side of Cromwell Street 6) North 87 degrees 08 minutes East 175.94 feet to the place of beginning. Containing 56365.6 more or less square feet of land.

SEC. 3. AND BE IT FURTHER ORDAINED, That the Real Estate Acquisition Division of the Department of the Comptroller, or such person or persons and in such manner as the Board of Estimates, in the exercise of the power vested in it by Article V, Section 5, of the Baltimore City Charter, may hereafter from time to time designate, is or are authorized to acquire for and on behalf of the Mayor and City Council of Baltimore and for the purpose described in this Ordinance, the fee simple interest or any lesser interest in and to the property or portions thereof hereinabove mentioned. If the said Division, person or persons, is or are unable to agree with the owner or owners on the purchase price of said properties or portions thereof, it or they shall forthwith notify the City Solicitor of Baltimore City, who shall thereupon institute in the name of the Mayor and City Council of Baltimore the necessary legal proceedings to acquire by condemnation the fee simple interest or any lesser interest in and to said properties or portions thereof.

SEC. 4. AND BE IT FURTHER ORDAINED, That the newly created disposition lots (labeled 3, 4, 5, 6) for industrial use - all as shown on Exhibit 3, Land Disposition dated as revised 1/11/88 of the amended Urban Renewal Plan - are hereby approved. Disposition Lot 3, (Light Street) is contingent on the City's efforts to open and close the street.

SEC. 5. AND BE IT FURTHER ORDAINED, That the change in land use - all as shown on Exhibit 1 - Land Use Plan, dated as revised 1/11/88 are hereby approved.

SEC. 6. AND BE IT FURTHER ORDAINED, That the approval of Amendment No. 2 to the Urban Renewal Plan for Port Covington shall not be construed as an enactment of the amendments to the Zoning Ordinance of Baltimore City whereby zoning district changes are recommended for certain properties - all shown in the amended Urban Renewal Plan on Exhibit 4, Zoning Districts, dated as revised 1/11/88.

SEC. 7. AND BE IT FURTHER ORDAINED, That in whatever respect, if any, the amended Renewal Plan approved hereby for the Port Covington area may not meet the requirements as to the content of the renewal plan or the procedures for the

preparation, adoption, and approval of renewal plans, as provided in Article 13 of the Baltimore City Code (1983 Replacement Volume, as amended), the said requirements are hereby waived and the amended Renewal Plan approved hereby is exempted therefrom.

SEC. 8. AND BE IT FURTHER ORDAINED, That in the event it be judicially determined that any word, phrase, clause, sentence, paragraph, section or part in or of this Ordinance, or the application thereof to any person or circumstance, is invalid, the remaining provisions and the application of such provisions to other persons or circumstances shall not be affected thereby, the Mayor and City Council hereby declaring that they would have ordained the remaining provisions of this ordinance without the word, phrase, clause, sentence, paragraph, section or part, or the application thereof so held invalid.

SEC. 9. AND BE IT FURTHER ORDAINED, That in any case where a provision of this ordinance concerns the same subject matter as an existing provision of any zoning, building, electrical, plumbing, health, fire or safety ordinance or code or regulation, the applicable provisions concerned shall be construed so as to give effect to each; provided, however, that if such provisions are found to be in irreconcilable conflict, the provision which establishes the higher standard for the promotion of the public health and safety shall prevail. In any case where a provision of this ordinance is found to be in conflict with an existing provision of any other ordinance or code or regulation in force in the City of Baltimore which establishes a lower standard for the promotion and protection of the public health and safety, the provisions of this ordinance shall prevail, and the other existing provision of such other ordinance or code or regulation hereby repealed to the extent that it may be found in conflict with this ordinance.

SEC. 10. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

Approved January 26, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 2

(Council No. 53)

AN ORDINANCE concerning

SUPPLEMENTARY HOUSING AND URBAN DEVELOPMENT 108 LOAN FUND
APPROPRIATION - DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

FOR the purpose of providing a supplementary Housing and Urban Development 108 loan fund appropriation in the amount of Thirty Million Dollars (\$30,000,000) to the Department of Housing and Community Development Account (9911-558-465) to

be used for financing the acquisition of certain properties in the Port Covington Urban Renewal Area and relocation costs associated with said acquisition.

BY authority of
Article VI - Board of Estimates
Section 2 (h) (3)
Baltimore City Charter (1964 Revision as amended)

WHEREAS, The money appropriated herein represents proceeds from the issuance of Housing and Urban Development 108 Notes, such amount being in excess of the revenues estimated and relied upon by the Board of Estimates in determining the tax levy required to balance the budget for the 1988 fiscal year, and is therefore available for appropriation to the Department of Housing and Community Development pursuant to the provisions of Article VI, Section 2(h) (3), of the Baltimore City Charter (1964 Revision as amended); and

WHEREAS, The sum appropriated herein is for a new program which could not reasonably be anticipated at the time of formulation of the proposed Ordinance of Estimates for the 1988 fiscal year, in accordance with Article VI, Section 2(h) (3) of said Charter; and

WHEREAS, This supplementary Housing and Urban Development 108 loan fund appropriation has been recommended to the City Council by the Board of Estimates at a regular meeting of the Board held on the 6th day of January, 1988, all in accordance with Article VI, Section 2 (h) (3) of said Charter.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That under the provisions of Article VI, Section 2(h) (3) of the 1964 revision of the Charter of Baltimore City as amended, the sum of Thirty Million Dollars (\$30,000,000) shall be made available to the Department of Housing and Community Development of the City of Baltimore as a supplementary Housing and Urban Development 108 loan fund appropriation for the fiscal year ending June 30, 1988 for the purpose of financing the acquisition of certain properties in the Port Covington Urban Renewal Area and relocation costs associated with said acquisitions. The amount thus made available as a supplementary Housing and Community Development 108 loan fund appropriation shall be expended from the proceeds from the issuance of Housing and Urban Development 108 Notes, said amount being in excess of the amount from this source which was estimated and relied upon by the Board of Estimates in determining the tax levy required to balance the budget for the 1988 fiscal year; and said funds shall be the source of revenue for this supplementary loan fund appropriation, as required by Article VI, Section 2 of the Baltimore City Charter (1964 Revision as amended).

Ord. NO. 3

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

Approved January 26, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 3

(Council No. 61)

AN ORDINANCE concerning

CITY STREET - OPENING LIGHT STREET

FOR the purpose of condemning and opening Light Street, 82.5 feet wide extending from Cromwell Street, 53 feet wide, Southerly to the Middle Branch of the Patapsco River in accordance with a plat thereof numbered 347-A-36, prepared by the Surveys and Records Division and filed in the Office of the Department of Public Works, on the Thirty-first (31st) day of December, 1987.

BY authority of

Article I - General Provisions

Section - 4

Article II - General Provisions

Sections 2, 34, 35

Baltimore City Charter (1964 Revision, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works be, and they are hereby authorized and directed to condemn and open Light Street, 82.5 feet wide extending from Cromwell Street, 53 feet wide, Southerly to the Middle Branch of the Patapsco River the said Light Street hereby directed to be condemned for said opening being described as follows:

Beginning for the same at the point formed by the intersection of the west side of Light Street, 82.5 feet wide and the south side of Cromwell Street, 53 feet wide and running thence binding on the south side of said Cromwell Street, Easterly 82.5 feet to the east side of said Light Street; thence binding on the east side of said Light Street, Southerly 1516 feet, more or less, to the Mean High Tide Line of the Middle Branch of the Patapsco River; thence meandering along the Mean High Tide Line of the Middle Branch of the Patapsco River, Southwesterly, Northerly and Westerly 140 feet, more or less, to the west side of said Light Street and thence binding on the west side of said Light Street, Northerly 1463 feet, more or less, to the place of beginning.

The said Light Street as directed to be condemned being more particularly described and referred to among the Land Records of Baltimore City and delineated and particularly shown on a plat numbered 347-A-36 which was filed in the Office of the Department of Public Works on the Thirty-first (31st) day of December, in the year 1987, and is now on file in said Office.

SEC. 2. AND BE IT FURTHER ORDAINED, That the proceedings of said Department of Public Works, with reference to the condemnation and opening of said Light Street and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1964 Revision, as amended) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SEC. 3. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect on the date of its enactment.

Approved January 26, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 4

(Council No. 62)

AN ORDINANCE concerning

CITY STREET - CLOSING LIGHT STREET

FOR the purpose of condemning and closing Light Street, 82.5 feet wide, extending from Cromwell Street, 53 feet wide, Southerly to the Middle Branch of the Patapsco River in accordance with a plat thereof numbered 347-A-36A, prepared by the Surveys and Records Division and filed in the Office of the Department of Public Works, on the Thirty-first (31st) day of December, 1987.

BY authority of

Article I - General Provisions

Section - 4

Article II - General Powers

Sections 2, 34, 35

Baltimore City Charter (1964 Revision, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works be, and they are

hereby authorized and directed to condemn and close Light Street, 82.5 feet wide extending from Cromwell Street, 53 feet wide, Southerly to the Middle Branch of the Patapsco River the said Light Street hereby directed to be condemned for said closing being described as follows:

Beginning for the same at the point formed by the intersection of the west side of Light Street, 82.5 feet wide and the south side of Cromwell Street, 53 feet wide and running thence binding on the south side of said Cromwell Street, Easterly 82.5 feet to the east side of said Light Street; thence binding on the east side of said Light Street, Southerly 1516 feet, more or less, to the Mean High Tide Line of the Middle Branch of the Patapsco River; thence meandering along the Mean High Tide Line of the Middle Branch of the Patapsco River, Southwesterly, Northerly and Westerly 140 feet, more or less, to the west side of said Light Street and thence binding on the west side of said Light Street, Northerly 1463 feet, more or less, to the place of beginning.

The said Light Street as directed to be condemned being more particularly described and referred to among the Land Records of Baltimore City and delineated and particularly shown on a plat numbered 347-A-36A which was filed in the Office of the Department of Public Works on the Thirty-first (31st) day of December, in the year 1987, and is now on file in said Office.

SEC. 2. AND BE IT FURTHER ORDAINED, That after said highway or highways shall have been closed under the provisions of this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, shall be and continue to be the property of the Mayor and City Council of Baltimore, in fee simple, until the use thereof shall be abandoned by the Mayor and City Council of Baltimore, and in the event that any person, firm or corporation shall desire to remove, alter or interfere therewith, such person, firm or corporation shall first obtain permission and permits therefor from the Mayor and City Council of Baltimore, and shall in the application for such permission and permits agree to pay all costs and charges of every kind and nature made necessary by such removal, alteration or interference.

SEC. 3. AND BE IT FURTHER ORDAINED, That no buildings or structures of any kind shall be constructed or erected in said portion of said highway or highways after the same shall have been closed under the provisions of this Ordinance until the subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, over which said buildings or structures are proposed to be constructed or erected shall have been abandoned or shall have been removed and relaid in accordance with the specifications and under the direction of the Director of Public Works of Baltimore City, and at the expense of the person or persons or body corporate desiring to erect such

buildings or structures. Railroad tracks shall be taken to be "structures" within the meaning of this section.

SEC. 4. AND BE IT FURTHER ORDAINED, That after said highway or highways shall have been closed under the provisions of this Ordinance, all subsurface structures and appurtenances owned by any person, firm or corporation, other than the Mayor and City Council of Baltimore, shall upon notice from the Director of Public Works of Baltimore City, be promptly removed by and at the expense of the said owners.

SEC. 5. AND BE IT FURTHER ORDAINED, That on and after the closing of said highway or highways, the said Mayor and City Council of Baltimore, acting through its duly authorized representatives, shall, at all times, have access to said property and to all subsurface structures and appurtenances used by it therein, for the purposes of inspection, maintenance, repair, alteration, relocation and/or replacement, of any or all of said structures and appurtenances, and this without permission from or compensation to the owner or owners of said land.

SEC. 6. AND BE IT FURTHER ORDAINED, That the proceedings of said Department of Public Works with reference to the condemnation and closing of said Light Street and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1964 Revision, as amended) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SEC. 7. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect on the date of its enactment.

Approved January 26, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 5

(COUNCIL NO. 82)

AN ORDINANCE concerning

RETIREMENT SYSTEMS - FIRE AND POLICE EMPLOYEES
EMERGENCY MEDICAL PERSONNEL

FOR the purpose of changing the time within which a requesting letter must be sent to the appropriate governmental agency relating to FICA payments on paramedics.

Ord. No. 5

By amending
Ordinance 1156
Approved December 7, 1987
Section 2

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That SEC. 2 of Ordinance 1156, approved December 7, 1987, is hereby amended to read as follows:

"SEC. 2. AND BE IT FURTHER ORDAINED, that it is the legislative intent of the City Council that the City not be required to pay old-age, survivors and disability insurance taxes (as described in Section 3111(a) of the Internal Revenue Code of 1986, as amended) on persons employed by the Fire Department to perform duties as or substantially similar to a paramedic (including a cardiac rescue technician) or a paramedic assistant, and to permit them to elect to be covered under the Fire and Police Employees' Retirement System. Therefore, [within 45 days after the date of enactment of this Ordinance No. 1156,] ON OR BEFORE MARCH-15 FEBRUARY 25, 1988, the Mayor and City Council, with the assistance of the City Solicitor, shall request a determination by the appropriate STATE AND/OR federal [agency or] agencies that the City not be required to pay old-age, survivors and disability insurance taxes (as described in Section 3111(a) of the Internal Revenue Code of 1986, as amended) on persons employed by the Fire Department to perform duties as or substantially similar to a paramedic (including a cardiac rescue technician) or a paramedic assistant. The Mayor and City Council, with the assistance of the City Solicitor, shall use all reasonable means to cooperate fully with the STATE AND/OR federal [agency or] agencies from which the determination is requested so as to receive a favorable final determination as soon as reasonably practical. Within 60 days after the appropriate STATE AND/OR federal [agency or] agencies issue a final determination in response to the City's request, the City Solicitor shall issue a formal opinion as to whether or not the City is required to pay old-age, survivors and disability insurance taxes (as described in Section 3111(a) of the Internal Revenue Code of 1986, as amended) on persons employed by the Fire Department to perform duties as or substantially similar to a paramedic (including a cardiac rescue technician) or a paramedic assistant."

SEC. 2. AND BE IT FURTHER ORDAINED That this Ordinance shall take effect on the date of its enactment.

Approved January 26, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 6

(Council No. 1)

AN ORDINANCE concerning

REPEAL OF RESERVED PARKING ORDINANCE

FOSTER AVENUE

FOR the purpose of repealing Ordinance No. 845, approved 12/8/87, which provided for reserved parking on the north side of Foster Avenue for Theodore Polski.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Ordinance No. 845, approved 12/8/87, is hereby repealed and the authorization for reserved parking on the north side of Foster Avenue near therein provided, is hereby rescinded.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

Approved February 16. 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 7

(Council No. 2)

AN ORDINANCE concerning

PARKING - RESERVED

ROBINSON STREET

FOR the purpose of providing for reserved parking on the east side of Robinson Street for Dawn Kozlowski.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That on the east side of Robinson Street from a point of 285' south of Pratt Street to a point 307' south of Pratt Street, parking is reserved for Dawn Kozlowski, displaying permit.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

February 16, 1988

KURT L. SCHMOKE, Mayor

Ord. No. 8

ORDINANCE No. 8

(Council No. 3)

AN ORDINANCE concerning

PARKING - RESERVED

GOUGH STREET

For the purpose of providing for reserved parking on the south side of Gough Street east of Lehigh Street for Margaret Stack.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALITMORE, That on the south side Gough Street from a point 49' east of Lehigh Street to a point 71' east of Lehigh Street, parking is reserved for Margaret Stack, displaying permit.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

February 22, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 9

(Council No. 6)

AN ORDINANCE concerning

PARKING - RESERVED

HIGHLAND AVENUE

For the purpose of providing for reserved parking on the east side of Highland Avenue for Joseph Strucko.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That on the east side of Highland Avenue from a point 26' north of Mueller Street to a point 48' north of Mueller Street, parking is reserved for Joseph Strucko, displaying permit.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

February 22, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 10

(Council No. 7)

AN ORDINANCE concerning

PARKING - RESERVED

GREENHILL AVENUE

For the purpose of providing for reserved parking on the west side of Greenhill Avenue for Melvin Ridge.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That on the west side of Greenhill from a point 78' south of Bowleys Lane to a point 100' south of Bowleys Lane, parking is reserved for Melvin Ridge, displaying permit.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

February 22, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 11

(Council No. 9)

AN ORDINANCE concerning

PARKING - RESERVED

BONVIEW AVENUE

For the purpose of providing for reserved parking on the south side of Bonview Avenue for Charles Lucassen.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That on the south side of Bonview Avenue from point 80' east of Brendan Avenue to a point 102' east of Brendan Avenue, parking is reserved for Charles Lucassen, displaying permit.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

February 22, 1988

KURT L. SCHMOKE, Mayor

Ord. No. 12

ORDINANCE NO. 12

(Council No. 52)

AN ORDINANCE concerning

IMPOUNDING ON ST. PAUL STREET

FOR the purpose of designating St. Paul Street, west side, from 31st Street to University Parkway as an impounding area.

BY adding

Article 31 - Transit and Traffic

Subtitle - Impounding Areas

Section 119(1a)

Baltimore City Code (1983 Replacement Volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Section(s) of the Baltimore City Code (1983 Replacement Volume, as amended) be added, repealed, or amended to read as follows:

ARTICLE 31 - TRANSIT AND TRAFFIC

IMPOUNDING AREAS

119. S. Streets.

(1a) ST. PAUL STREET, WEST SIDE, FROM 31ST STREET TO UNIVERSITY PARKWAY.

Sec. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on date of its enactment.

February 22, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 12A

(Council No. 68)

AN ORDINANCE concerning

PARKING - RESERVED

1337 E. CLEMENT STREET

For the purpose of providing for reserved parking on E. Clement Street for Honora Hart.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That on the south side of Clement Street, from a point 40' east of Lowman Street to a point 62' east of Lowman

Street, parking is reserved for Honora Hart, displaying a permit.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

February 24, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO.13

(Council No. 11)

AN ORDINANCE concerning

PARKING - RESERVED

BUCKNELL ROAD

For the purpose of providing for reserved parking on the east side of Bucknell Road for Eleanor Jacobs.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That on the east side of Bucknell Road from a point 75' north of the 1st Alley North of Moores Run Drive to a point 97' north of the 1st Alley North of Moores Run Drive, parking is reserved for Eleanor Jacobs, displaying permit.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

February 26, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 14

(Council No. 12)

AN ORDINANCE concerning

PARKING - RESERVED

ST. GEORGES AVENUE

For the purpose of providing for reserved parking on the west side of St. Georges Avenue for Jean Anderson.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That on the west side ST. Georges Avenue, from a point 204' north of Richwood Avenue to a point 226' north of Richwood

Ord. No. 15

Avenue, parking is reserved for Jean Anderson, displaying permit.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

February 26, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 15

(Council No. 13)

AN ORDINANCE concerning

PARKING - RESERVED

HANOVER STREET

For the purpose of providing for reserved parking on the west side of Hanover Street for John Gettier.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That on the west side of Hanover Street from a point 58' south of Kent Street to a point 80' south of Kent Street, parking is reserved for John Gettier, displaying a permit.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

February 26, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 16

(Council No. 51)

AN ORDINANCE concerning

IMPOUNDING ON PRESIDENT STREET

FOR the purpose of changing the impounding area on President Street.

By repealing and reordaining with amendments

Article 31-Transit and Traffic

Subtitle - Impounding Areas

Section 116 (4)

Baltimore City Code (1983 Replacement Volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Section(s) of the Baltimore City Code (1983 Replacement Volume, as amended) be added, repealed, or amended to read as follows:

ARTICLE 31-TRANSIT AND TRAFFIC
IMPOUNDING AREAS

116. P Streets.

(4) President Street, both sides, from [Pratt Street to Lombard Street] FAYETTE STREET TO ALICEANNA STREET.

Sec. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on date of its enactment.

February 26, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 17
(Council No. 57)

AN ORDINANCE concerning

ISSUANCE OF CONSOLIDATED BOND ANTICIPATION NOTES

FOR the purpose of amending the provisions of Ordinance No. 405, approved June 24, 1985, to add the new loan authorizations approved by the voters in the general election of November 4, 1986 and November 3, 1987, and to increase the maximum amount of Consolidated Bond Anticipation notes that can be outstanding at one time.

BY repealing and reordaining with amendments
Ordinance 405
Approved by the Mayor: June 24, 1985

WHEREAS, Ordinance 633, approved May 7, 1982, provided for the authorization and issuance by the Mayor and City Council of Baltimore of Consolidated Bond Anticipation Notes and Consolidated Bond Anticipation Refunding Notes to use the proceeds for stated public purposes; and

WHEREAS, Ordinance 937, approved May 5, 1983, repealed and reordained with amendments Ordinance 633 of 1982 by adding the loan authorizations that were approved by the voters in the general election held November 4, 1982; and

WHEREAS, Ordinance 69, approved May 14, 1984, amended Ordinance 937 of 1983 by adding loan authorizations approved by the voters in the general election held on November 8, 1983; and

WHEREAS, Ordinance 97, approved June 18, 1984, repealed and reordained with amendments Ordinance 937 of 1983 by increasing the maximum amount of Consolidated Bond Anticipation Notes that can be outstanding at one time, but Ordinance 97 did not include the loan authorizations added by Ordinance 69 of 1984 or various

provisions of Ordinance 937 of 1983; and

WHEREAS, Ordinance 405, approved June 24, 1985, amended Ordinance 97 of 1984 by adding loan authorizations approved by the voters in the general election held on November 6, 1984, and by increasing the maximum amount of Consolidated Bond Anticipation Notes that can be outstanding at one time; and

WHEREAS, This Ordinance increases the maximum amount of Consolidated Bond Anticipation Notes that can be outstanding at one time, adds the loan authorizations approved by the voters in the general election of November 8, 1983, originally included in Ordinance 69 of 1984 but excluded by Ordinance 97 of 1984, adds provisions originally included in Ordinance 937 of 1983 but repealed by Ordinance 97 of 1984, adds the provision originally included in Ordinance 97 of 1984, but repealed by Ordinance 405 of 1985 and adds the loan authorizations approved by the voters in the general elections of November 4, 1986 and November 3, 1987; now, therefore

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Ordinance 405 of the Mayor and City Council of Baltimore, entitled "Issuance of Consolidated Bond Anticipation Notes", and approved by the Mayor on June 24, 1985, be and it is repealed and reordained to read as follows:

AN ORDINANCE concerning

ISSUANCE OF CONSOLIDATED BOND ANTICIPATION NOTES

FOR the purpose of authorizing and providing for the issuance, from time to time by the Mayor and City Council of Baltimore (the "City") of its bond anticipation notes, designated "Consolidated Bond Anticipation Notes," and its bond anticipation refunding notes, designated "Consolidated Bond Anticipation Refunding Notes," in an aggregate principal amount not exceeding that permitted by the Bond Acts (defined below), but not outstanding at any one time in excess of [one hundred million dollars (\$100,000,000)] ONE HUNDRED FIFTY MILLION DOLLARS(\$150,000,000) pursuant to the provisions of Sections 12 and 24 of Article 31 of the Annotated Code of Maryland (1986 Replacement Volume and 1987 Supplement) and in accordance with the general obligation bond authority set forth in (i) Chapter 140 of the Laws of Maryland of 1972, and Ordinance No. 110 of the City, approved by the Mayor on June 29, 1972, (ii) Chapter 467 of the Laws of Maryland of 1975, and Ordinance No. 74 of the City approved by the Mayor on June 16, 1976 (iii) Chapter 16 of the Laws of Maryland of 1980, and Ordinance No. 81 of the City approved by the Mayor on June 9, 1980, (iv) Chapter 12 of the Laws of Maryland of 1982, and Ordinance 677 of the City, approved by the Mayor on June 23, 1982, (v) Chapter 348 of the Laws of Maryland of 1975, and Ordinance 900 of the City, approved by the Mayor on June 13, 1975, (vi) Chapter 209 of the Laws of Maryland of 1976, and

Ordinance No. 76 of the City, approved by the Mayor on June 6, 1976, (vii) Chapter 7 of the Laws of Maryland of 1982, and Ordinance 678 of the City, approved by the Mayor on June 23, 1982, (viii) Chapter 8 of the Laws of Maryland of 1982, and Ordinance No. 680 of the City, approved by the Mayor on June 23, 1982, (ix) Chapter 560 of the Laws of Maryland of 1968, and Ordinance No. 151 of the City, approved by the Mayor on June 28, 1968, (x) Chapter 9 of the Laws of Maryland of 1982, and Ordinance 679 of the City approved by the Mayor on June 23, 1982, (xi) Chapter 9 of the Laws of Maryland of 1979, and Ordinance No. 1031, approved by the Mayor on May 24, 1979, (xii) Chapter 13 of the Laws of Maryland of 1980, and Ordinance No. 82 of the City, approved by the Mayor on June 9, 1980, (xiii) chapter 15 of the Laws of Maryland of 1979, and Ordinance No. 1037 of the City, approved by the Mayor on May 24, 1979, (xiv) Chapter 35 of the Laws of Maryland of 1980, and Ordinance No. 93 of the City, approved by the Mayor on June 12, 1980, (xv) Chapter 16 of the Laws of Maryland of 1979, and Ordinance No. 1038 of the City, approved by the Mayor on May 24, 1979, (xvi) Chapter 10 of the Laws of Maryland of 1982, and Ordinance 729 of the City, approved by the Mayor on June 29, 1982, (xvii) Chapter 130 of the Laws of Maryland of 1978, and Ordinance No. 791 of the City, approved by the Mayor on June 26, 1978, (xviii) Chapter 17 of the Laws of Maryland of 1979, and Ordinance No. 1039 of the City, approved by the Mayor on May 24, 1979 (xix) Chapter 14 of the Laws of Maryland of 1980, and Ordinance No. 83 of the City, approved by the Mayor, on June 9, 1980, (xx) Chapter 13 of the Laws of Maryland of 1982, and Ordinance No. 730 of the City, approved by the Mayor on June 29, 1982, (xxi) Chapter 20 of the Laws of Maryland of 1980, and Ordinance No. 79 of the City, approved by the Mayor on June 9, 1980, (xxii) Chapter 463 of the Laws of Maryland of 1975, and Ordinance No. 899 of the City, approved by the Mayor on June 13, 1975, (xxiii) Chapter 11 of the Laws of Maryland of 1979, and Ordinance No. 1033 of the City, approved by the Mayor on May 24, 1979, (xxiv) Chapter 17 of the Laws of Maryland of 1980, and Ordinance No. 76 of the City, approved by the Mayor on June 9, 1980, (xxv) Chapter 14 of the Laws of Maryland of 1979, and Ordinance No. 1036 of the City, approved by the Mayor on May 24, 1979, (xxvi) Chapter 18 of the Laws of Maryland of 1980, and Ordinance No. 80 of the City, approved by the Mayor on June 9, 1980, (xxvii) Chapter 11 of the Laws of Maryland of 1982, and Ordinance No. 681 of the City, approved by the Mayor on June 23, 1982, (xxviii) Chapter 15 of the Laws of Maryland of 1980, and Ordinance No. 75 of the City, approved by the Mayor on June 9, 1980, (xxix) Chapter 6 of the Laws of Maryland of 1982, and Ordinance No. 728 of the City, approved by the Mayor on June 9, 1982, (xxx) Chapter 128 of the Laws of Maryland of 1971, and Ordinance No. 1098 of the City, approved by the Mayor on June 29, 1971, (xxxi) Chapter 73 of the Laws of Maryland of 1978 and Ordinance No. 785 of the City, approved by the Mayor on June 26, 1978, (xxxii) Chapter 11 of the Laws of

Maryland of 1983, and Ordinance No. 966 of the City, approved by the Mayor on June 22, 1983, (xxxiii) Chapter 12 of the Laws of Maryland of 1983, and Ordinance No. 969 of the City, approved by the Mayor on June 22, 1983, (xxxiv) Chapter 19 of the Laws of Maryland of 1983, and Ordinance No. 967 of the City, approved by the Mayor on June 22, 1983, (xxxv) Chapter 20 of the Laws of Maryland of 1983, and Ordinance No. 972 of the City, approved by the Mayor on June 22, 1983, (xxxvi) Chapter 18 of the Laws of Maryland of 1983, and Ordinance No. 968 of the City, approved by the Mayor on June 22, 1983, (xxxvii) Chapter 22 of the Laws of Maryland of 1983, and Ordinance No. 970 of the City approved by the Mayor on June 22, 1983, (xxxviii) Chapter 15 of the Laws of Maryland of 1983, and Ordinance No. 974 of the City, approved by the Mayor on June 22, 1983, (xxxix) Chapter 21 of the Laws of Maryland of 1983, and Ordinance No. 971 of the City, approved by the Mayor on June 22, 1983, (xl) Chapter 14 of the Laws of Maryland of 1983, and Ordinance No. 965 of the City, approved by the Mayor on June 22, 1983, (xli) Chapter 13 of the Laws of Maryland of 1983, and Ordinance No. 973 of the City, approved by the Mayor on June 22, 1983, (xlii) Resolution VIII of 1984 of the members of the General Assembly of Maryland representing Baltimore City, and Ordinance No. 99 of the City, approved by the Mayor on June 19, 1984, (xliii) Resolution V of 1984 approved by the members of the General Assembly of Maryland representing Baltimore City and Ordinance No. 115 of the City, approved by the Mayor on June 15, 1984, (xliv) Resolution VI of 1984 approved by the members of the General Assembly of Maryland representing Baltimore City, and Ordinance No. 116 of the City, approved by the Mayor on June 25, 1984, (xlv) Resolution XII of 1984 approved by the members of the General Assembly of Maryland representing Baltimore City and Ordinance No. 117 of the City, approved by the Mayor on June 25, 1984, (xlvi) Resolution II of 1984 approved by the members of the General Assembly of Maryland representing Baltimore City, and Ordinance No. 118 of the City, approved by the Mayor on June 25, 1984, (xlvii) Resolution IX of 1984 approved by the members of the General Assembly of Maryland representing Baltimore City, and Ordinance No. 119 of the City, approved by the Mayor on June 25, 1984, (xlviii) Resolution I of 1984 approved by the members of the General Assembly of Maryland representing Baltimore City, and Ordinance No. 120 of the City, approved by the Mayor on June 27, 1984, (xlix) Resolution VII of 1984 approved by the members of the General Assembly of Maryland representing Baltimore City, and Ordinance No. 121 of the City, approved by the Mayor on June 27, 1984, (l) Resolution IV of 1984 approved by the members of the General Assembly of Maryland representing Baltimore City, and Ordinance No. 125 of the City, approved by the Mayor on June 27, 1984, (li) Resolution III of 1984 approved by the members of the General Assembly of Maryland representing Baltimore City, and Ordinance No. 126 of the City, approved by the Mayor on June 27, 1984, (lii) Resolution X of 1984

approved by the members of the General Assembly of Maryland representing Baltimore City, and Ordinance No. 95 of the City approved by the Mayor on June 15, 1984, and (liii) Resolution XI of 1984 approved by the members of the General Assembly of Maryland representing Baltimore City, and Ordinance No. 98 of the City, approved by the Mayor on June 19, 1984,

(LIV) RESOLUTION IV OF 1986, APPROVED BY THE MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY, AND ORDINANCE 687G OF THE CITY APPROVED BY THE MAYOR ON JUNE 16, 1986, (LV) RESOLUTION II OF 1986, APPROVED BY THE MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY, AND ORDINANCE 689 OF THE CITY APPROVED BY THE MAYOR ON JUNE 24, 1986, (LVI) RESOLUTION VII OF 1986, APPROVED BY THE MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY, AND ORDINANCE 690 OF THE CITY APPROVED BY THE MAYOR ON JUNE 24, 1986, (LVII) RESOLUTION VI OF 1986 APPROVED BY THE MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY, AND ORDINANCE 691 OF THE CITY APPROVED BY THE MAYOR ON JUNE 24, 1986, (LVIII) RESOLUTION I OF 1986 APPROVED BY MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY, AND ORDINANCE 692 OF THE CITY APPROVED BY THE MAYOR ON JUNE 24, 1986, (LIX) RESOLUTION V OF 1986 APPROVED BY MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY, AND ORDINANCE 693 OF THE CITY APPROVED BY THE MAYOR ON JUNE 24, 1986, (LX) RESOLUTION IX OF 1986 APPROVED BY THE MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY, AND ORDINANCE 694 OF THE CITY APPROVED BY THE MAYOR ON JUNE 24, 1986, (LXI) RESOLUTION VII OF 1986 APPROVED BY THE MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY, AND ORDINANCE 695 OF THE CITY APPROVED BY THE MAYOR ON JUNE 24, 1986, (LXII) RESOLUTION III OF 1986 APPROVED BY THE MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY, AND ORDINANCE 714 OF THE CITY APPROVED BY THE MAYOR ON JUNE 27, 1986, (LXIII) RESOLUTION VII OF 1987 APPROVED BY MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY, AND ORDINANCE 1016 OF THE CITY APPROVED BY THE MAYOR ON JULY 10, 1987, (LXIV) RESOLUTION I OF 1987 APPROVED BY MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY, AND ORDINANCE 1017 OF THE CITY APPROVED BY THE MAYOR ON JULY 10, 1987, (LXV) RESOLUTION III OF 1987 APPROVED BY MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY, AND ORDINANCE 1018 OF THE CITY APPROVED BY THE MAYOR ON JULY 10, 1987, (LXVI) RESOLUTION IV OF 1987 APPROVED BY MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY, AND ORDINANCE 1019 OF THE CITY APPROVED BY THE MAYOR ON JULY 10, 1987, (LXVII) RESOLUTION II OF 1987 APPROVED BY MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY, AND ORDINANCE 1020 OF THE CITY APPROVED BY THE MAYOR ON JULY 10, 1987, (LXVIII) RESOLUTION IX OF 1987 APPROVED BY MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY, AND ORDINANCE 1021 OF

THE CITY APPROVED BY THE MAYOR ON JULY 10, 1987, (LXIX) RESOLUTION VII OF 1987 APPROVED BY MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY, AND ORDINANCE 1022 OF THE CITY APPROVED BY THE MAYOR JULY 10, 1987, (LXX) RESOLUTION VI OF 1987 APPROVED BY MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY, AND ORDINANCE 1023 OF THE CITY APPROVED BY THE MAYOR ON JULY 10, 1987, AND (LXXI) RESOLUTION V OF 1987 APPROVED BY MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY, AND ORDINANCE 1024 OF THE CITY APPROVED BY THE MAYOR ON JULY 10, 1987, (the "Bond Acts") in order to use the proceeds for the public purposes of (a) funding the purposes or uses set forth in the Bond Acts; (b) funding up to twelve (12) months capitalized interest on the notes (unless a longer period is allowed by law, in which case funding such interest up to the period permitted by law); (c) refunding and refinancing such notes as they mature or are redeemed; and (d) paying the costs of issuance of such notes; authorizing the use of obligations in the nature of commercial paper or demand notes and letters of credit and other credit arrangements; prescribing and determining certain other matters relating to the issuance and sale of the notes; providing that certain matters pertaining to the notes, including (without limitation) the amounts and dates of any series, maturity or maturities, method of competitive sale, if any, interest rate or rates, redemption provisions, if any, and the period, if any, during which interest will be capitalized, shall be determined administratively at or prior to the time of the sale of any series of such notes by resolution of the Board of Finance of the City; providing for the private (negotiated) sale of such notes or, upon certain findings and determinations by the Board of Finance, for the competitive sale of all or part of such notes; providing for the disbursement of the proceeds of such notes; providing for the payment of such notes from refunding notes or from the first proceeds of bonds to be issued on the full faith and credit of the City in an amount necessary, together with any other available funds, to provide for the payment of the principal of and interest on such notes when due (whether at maturity or by acceleration or otherwise); covenanting to issue general obligation bonds when, and as soon as, the reason for deferring the issuance thereof no longer exists; covenanting (in the event general obligation bonds are not issued to pay the principal of and interest on the notes when due, whether at maturity or by acceleration or otherwise) to levy and collect all taxes necessary to provide for the payment of the principal of and interest on such notes when due (whether at maturity or by acceleration or otherwise); providing that the proceeds of such notes, or any monies with may be deemed to be proceeds, will not be used in a manner which would cause such notes to be arbitrage notes; providing that the Board of Finance may determine by resolution or other appropriate action certain other matters pertaining to the issuance, sale and delivery of any series of such notes; and generally relating to the

issuance, sale, and delivery and payment of all such notes.

RECITALS

A. For convenience of reference, the Mayor and City Council of Baltimore, a municipal corporation organized and existing under the Constitution and laws of the State of Maryland, is hereinafter sometimes referred to as the "City".

B. The authority for the issuance of bond anticipation notes is set forth in Section 12 of Article 31 of the Annotated Code of Maryland (1986 Replacement Volume and 1987 Supplement). Section 12 of Article 31 is sometimes referred to in this Ordinance as the "Bond Anticipation Note Act". The authority for the issuance of the bonds in anticipation of which the notes will be issued is set forth in (i) Chapter 140 of the Laws of Maryland of 1972, and Ordinance No. 110 of the City; approved by the Mayor on June 29, 1972, ratified by the voters on November 7, 1982, for \$3,700,000, (ii) Chapter 467 of the Laws of Maryland of 1975, and Ordinance No. 74 of the City approved by the Mayor on June 16, 1976, ratified by the voters on November 2, 1976, for \$5,750,000, (iii) Chapter 16 of the Laws of Maryland of 1980, and Ordinance No. 81 of the City approved by the Mayor on June 9, 1980, ratified by the voters on November 4, 1980, for \$3,000,000, (iv) Chapter 12 of the Laws of Maryland of 1982, and Ordinance 677 of the City, approved by the Mayor on June 23, 1982, ratified by the voters on November 4, 1982, for \$4,000,000, (v) Chapter 348 of the Laws of Maryland of 1975, and Ordinance 900 of the City, approved by the Mayor on June 13, 1975, ratified by the voters on November 4, 1975, for \$1,000,000, (vi) Chapter 209 of the Laws of Maryland of 1976, and Ordinance No. 76 of the City, approved by the Mayor on June 16, 1976, ratified by the voters on November 2, 1976, for \$1,000,000, (vii) Chapter 7 of the Laws of Maryland of 1982, and Ordinance 678 of the City, approved by the Mayor on June 23, 1982, ratified by the voters on November 4, 1982, for \$1,400,000, (viii) Chapter 8 of the Laws of Maryland of 1982, and Ordinance 680 of the City, approved by the Mayor on June 23, 1982, ratified by the voters on November 4, 1980, for \$1,000,000, (ix) Chapter 560 of the Laws of Maryland of 1968, and Ordinance No. 151 of the City, approved by the Mayor on June 28, 1968, ratified by the voters on November 5, 1968, for \$80,000,000, (x) Chapter 9 of the Laws of Maryland of 1982, and Ordinance 679 of the City approved by the Mayor on June 23, 1982, ratified by the voters on November 4, 1982, for \$2,600,000, (xi) Chapter 9 of the Laws of Maryland of 1979, and Ordinance No. 1031, approved by the Mayor on May 24, 1979, ratified by the voters on November 6, 1979, for \$7,300,000, (xii) Chapter 13 of the Laws of Maryland of 1980, and Ordinance No. 82 of the City, approved by the Mayor on June 9, 1980, ratified by the voters on November 4, 1980, for \$8,500,000, (xiii) Chapter 15 of the Laws of Maryland of 1979, and Ordinance No. 1037 of the City, approved by the Mayor on May 24, 1979, ratified by the voters on November 6, 1979, for \$2,000,000, (xiv) Chapter 35 of the Laws of Maryland of 1980, and Ordinance No. 93 of the City, approved by the Mayor on June 12, 1980, ratified by the voters on November 4, 1980, for \$6,000,000, (xv) Chapter 16 of the Laws of Maryland of 1979, and Ordinance No. 1038 of the

City, approved by the Mayor on May 24, 1979, ratified by the voters on November 6, 1979, for \$4,000,000, (xvi) Chapter 10 of the Laws of Maryland of 1982, and Ordinance 729 of the City, approved by the Mayor on June 29, 1982, ratified by the voters on November 4, 1982, for \$5,000,000, (xvii) Chapter 130 of the Laws of Maryland of 1978, and Ordinance No. 791 of the City, approved by the Mayor on June 26, 1978, ratified by the voters on November 7, 1978, for \$7,500,000, (xviii) Chapter 17 of the Laws of Maryland of 1979, and Ordinance No. 1039 of the City, approved by the Mayor on May 24, 1979, ratified by the voters on November 6, 1979, for \$2,500,000, (xix) Chapter 14 of the Laws of Maryland of 1980, and Ordinance No. 83 of the City, approved by the Mayor on June 9, 1980, ratified by the voters on November 4, 1980, for \$3,000,000, (xx) Chapter 13 of the Laws of Maryland of 1982, and Ordinance No. 730 of the City, approved by the Mayor on June 29, 1982, ratified by the voters on November 4, 1982 for \$3,000,000, (xxi) Chapter 20 of the Laws of Maryland of 1980, and Ordinance No. 79 of the City, approved by the Mayor on June 9, 1980, ratified by the voters on November 4, 1980, for \$3,000,000, (xxii) Chapter 463 of the Laws of Maryland of 1975, and Ordinance No. 899 of the City, approved by the Mayor on June 13, 1975, ratified by the voters on November 4, 1975, for \$30,000,000, (xxiii) Chapter 11 of the Laws of Maryland of 1979, and Ordinance No. 1033 of the City, approved by the Mayor on May 24, 1979, ratified by the voters on November 6, 1979, for \$7,300,000, (xxiv) Chapter 17 of the Laws of Maryland of 1980, and Ordinance No. 76 of the City, approved by the Mayor on June 9, 1980, ratified by the voters on November 4, 1980, for \$8,000,000, (xxv) Chapter 14 of the Laws of Maryland of 1979, and Ordinance No. 1036 of the City, approved by the Mayor on May 24, 1979, ratified by the voters on November 6, 1979, for \$4,500,000, (xxvi) Chapter 18 of the Laws of Maryland of 1980, and Ordinance No. 80 of the City, approved by the Mayor on June 9, 1980, ratified by the voters on November 4, 1980, for \$16,000,000, (xxvii) Chapter 11 of the Laws of Maryland of 1982, and Ordinance No. 681 of the City, approved by the Mayor on June 23, 1982, ratified by the voters on November 4, 1982, for \$7,000,000, (xxviii) Chapter 15 of the Laws of Maryland of 1980, and Ordinance No. 75 of the City, approved by the Mayor on June 9, 1980, ratified by the voters on November 4, 1980, for \$12,000,000, (xxix) Chapter 6 of the Laws of Maryland of 1982, and Ordinance No. 728 of the City, approved by the Mayor on June 9, 1982, ratified by the voters on November 4, 1982, for \$3,000,000, (xxx) Chapter 128 of the Laws of Maryland of 1971, and Ordinance No. 1098 of the City, approved by the Mayor on June 29, 1971, ratified by the voters on November 2, 1971, for \$7,800,000, (xxxi) Chapter 73 of the Laws of Maryland of 1978 and Ordinance No. 785 of the City, approved by the Mayor on June 26, 1978, ratified by the voters on November 7, 1978, for \$5,600,000, (xxxii) Chapter 11 of the Laws of Maryland of 1983, and Ordinance No. 966 of the City, approved by the Mayor on June 22, 1983, ratified by the voters on November 11, 1983, for \$3,250,000, (xxxiii) Chapter 12 of the Laws of Maryland 1983, and Ordinance No. 969 of the City, approved by the Mayor on June 22, 1983, ratified by the voters on November 11, 1983, for \$1,250,000, (xxxiv) Chapter 19 of the Laws of Maryland of 1983, and Ordinance No. 967 of the City, approved by the Mayor on June

22, 1983, ratified by the voters on November 11, 1983, for \$7,000,000, (xxxv) Chapter 20 of the Laws of Maryland of 1983, and Ordinance No. 972 of the City approved by the Mayor on June 22, 1983, ratified by the voters on November 11, 1983, for \$1,500,000, (xxxvi) Chapter 18 of the Laws of Maryland of 1983, and Ordinance No. 968 of the City, approved by the Mayor on June 22, 1983, ratified the voters on November 11, 1983, for \$4,500,000, (xxxvii) Chapter 22 of the Laws of Maryland of 1983, and Ordinance No. 970 of the City, approved by the Mayor on June 22, 1983, ratified by the voters on November 11, 1983, for \$2,500,000, (xxxviii) Chapter 15 of the Laws of Maryland of 1983, and Ordinance No. 974 of the City, approved by the Mayor on June 22, 1983, ratified by the voters on November 11, 1983, for \$2,500,000, (xxxix) Chapter 21 of the Laws of Maryland of 1983, and Ordinance No. 971 of the City, approved by the Mayor on June 22, 1983, ratified by the voters on November 11, 1983, for \$6,000,000, (xl) Chapter 14 of the Laws of Maryland of 1983, and Ordinance No. 965 of the City, approved by the Mayor on June 22, 1983, ratified by the voters on November 11, 1983, for \$3,000,000, (xli) Chapter 13 of the Laws of Maryland of 1983, and Ordinance No. 973 of the City, approved by the Mayor on June 22, 1983, ratified by the voters on November 11, 1983, for \$2,000,000, (xlii) Resolution VIII of 1984 of the members of the General Assembly of Maryland representing Baltimore City, and Ordinance No. 99 of the City, approved by the Mayor on June 19, 1984, ratified by the voters on November 6, 1984, for \$4,900,000, (xliii) Resolution V of 1984 approved by the members of the General Assembly of Maryland representing Baltimore City, and Ordinance No. 115 of the City, approved by the Mayor on June 25, 1984, ratified by the voters on November 6, 1984, for \$3,000,000, (xliv) Resolution VI of 1984 approved by the members of the General Assembly of Maryland representing Baltimore City, and Ordinance No. 116 of the City, approved by the Mayor on June 25, 1984, ratified by the voters on November 6, 1984, for \$6,000,000, (xlv) Resolution XII of 1984 approved by the members of the General Assembly of Maryland representing Baltimore City, and Ordinance No. 117 of the City, approved by the Mayor on June 25, 1984, ratified by the voters on November 6, 1984, for \$10,000,000, (xlvi) Resolution II of 1984 approved by the members of the General Assembly of Maryland representing Baltimore City, and Ordinance No. 118 of the City, approved by the Mayor on June 25, 1984, ratified by the voters on November 6, 1984, for \$1,000,000, (xlvii) Resolution IX of 1984 approved by the members of the General Assembly of Maryland representing Baltimore City, and Ordinance No. 119 of the City, approved by the Mayor on June 25, 1984, ratified by the voters on November 6, 1984, for \$2,000,000, (xlviii) Resolution I of 1984 approved by the members of the General Assembly of Maryland representing Baltimore City, and Ordinance No. 120 of the City, approved by the Mayor on June 25, 1984, ratified by the voters on November 6, 1984, for \$12,000,000, (xlix) Resolution VII of 1984 approved by the members of the General Assembly of Maryland representing Baltimore City, and Ordinance No. 121 of the City, approved by the Mayor on June 25, 1984, ratified by the voters on November 6, 1984, for \$4,000,000, (l) Resolution IV of 1984 approved by the

members of the General Assembly of Maryland representing Baltimore City, and Ordinance No. 125 of the City, approved by the Mayor on June 27, 1984, ratified by the voters on November 6, 1984, for \$6,000,000, (li) Resolution III of 1984 approved by the members of the General Assembly of Maryland representing Baltimore City and Ordinance No. 126 of the City, approved by the Mayor on June 27, 1984, ratified by the voters on November 6, 1984, for \$2,500,000, (lii) Resolution X of 1984 approved by the members of the General Assembly of Maryland representing Baltimore City, and Ordinance No. 95 of the City approved by the Mayor on June 15, 1984, ratified by the voters on November 6, 1984, for 2,500,000 (liii) Resolution XI of 1984 approved by the members of the General Assembly of Maryland representing Baltimore City, and Ordinance No. 98 of the City, approved by the Mayor on June 19, 1984 ratified by the voters on November 6, 1984 for \$9,500,000, (LIV) RESOLUTION IV OF 1986 APPROVED BY THE MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY, AND ORDINANCE 687G OF THE CITY, APPROVED BY THE MAYOR ON JUNE 16, 1986 RATIFIED BY THE VOTERS ON NOVEMBER 4, 1986 FOR \$2,500,000, (LV) RESOLUTION II OF 1986 APPROVED BY THE MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY, AND ORDINANCE 689 OF THE CITY, APPROVED BY THE MAYOR ON JUNE 24, 1986 RATIFIED BY THE VOTERS ON NOVEMBER 4, 1986 FOR \$3,500,000, (LVI) RESOLUTION VII OF 1986 APPROVED BY THE MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY AND ORDINANCE 690 OF THE CITY, APPROVED BY THE MAYOR ON JUNE 24, 1986 RATIFIED BY THE VOTERS ON NOVEMBER 4, 1986 FOR \$3,000,000, (LVII) RESOLUTION VI OF 1986 APPROVED BY THE MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY, AND ORDINANCE 691 OF THE CITY, APPROVED BY THE MAYOR ON JUNE 24, 1986 RATIFIED BY THE VOTERS ON NOVEMBER 4, 1986 FOR \$2,500,000, (LVIII) RESOLUTION I OF 1986 APPROVED BY THE MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY, AND ORDINANCE 692 OF THE CITY, APPROVED BY THE MAYOR ON JUNE 24, 1986 RATIFIED BY THE VOTERS ON NOVEMBER 4, 1986 FOR \$5,000,000, (LIX) RESOLUTION V OF 1986 APPROVED BY THE MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY, AND ORDINANCE 693 OF THE CITY, APPROVED BY THE MAYOR ON JUNE 24, 1986 RATIFIED BY THE VOTERS ON NOVEMBER 4, 1986 FOR \$1,000,000, (LX) RESOLUTION IX OF 1986 APPROVED BY MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY, AND ORDINANCE 694 OF THE CITY, APPROVED BY THE MAYOR ON JUNE 24, 1986 RATIFIED BY THE VOTERS ON NOVEMBER 4, 1986 FOR \$4,000,000, (LXI) RESOLUTION VII OF 1986 APPROVED BY MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY, AND ORDINANCE 695 OF THE CITY, APPROVED BY THE MAYOR ON JUNE 24, 1986 RATIFIED BY THE VOTERS ON NOVEMBER 4, 1986 FOR \$5,500,000 (LXII) RESOLUTION III OF 1986 APPROVED BY MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY, AND ORDINANCE 714 OF THE CITY, APPROVED BY THE MAYOR ON JUNE 27, 1986 RATIFIED BY THE VOTERS ON NOVEMBER 4, 1986 FOR \$2,300,000, (LXIII) RESOLUTION VII OF 1987 APPROVED BY MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY, AND ORDINANCE 1016 OF THE CITY, APPROVED BY THE MAYOR ON JULY 10, 1987 RATIFIED BY THE VOTERS ON NOVEMBER 3, 1987 FOR \$1,250,000, (LXIV)

RESOLUTION I OF 1987 APPROVED BY MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY, AND ORDINANCE 1017 OF THE CITY, APPROVED BY THE MAYOR ON JULY 10, 1987 RATIFIED BY THE VOTERS ON NOVEMBER 3, 1987 FOR \$1,500,000, (LXV) RESOLUTION III OF 1987 APPROVED BY MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY, AND ORDINANCE 1018 OF THE CITY, APPROVED BY THE MAYOR ON JULY 10, 1987 RATIFIED BY THE VOTERS ON NOVEMBER 3, 1987 FOR \$1,750,000, (LXVI) RESOLUTION IV OF 1987 APPROVED BY MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY, AND ORDINANCE 1019 OF THE CITY, APPROVED BY THE MAYOR ON JULY 10, 1987 RATIFIED BY THE VOTERS ON NOVEMBER 3, 1987 FOR \$3,000,000, (LXVII) RESOLUTION II OF 1987 APPROVED BY MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY, AND ORDINANCE 1020 OF THE CITY, APPROVED BY THE MAYOR ON JULY 10, 1987 RATIFIED BY THE VOTERS ON NOVEMBER 3, 1987 FOR \$1,500,000, (LXVIII) RESOLUTION IX OF 1987 APPROVED BY MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY, AND ORDINANCE 1021 OF THE CITY, APPROVED BY THE MAYOR ON JULY 10, 1987, RATIFIED BY THE VOTERS ON NOVEMBER 3, 1987 FOR \$9,000,000, (LXIX) RESOLUTION VIII OF 1987 APPROVED BY MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY, AND ORDINANCE 1022 OF THE CITY, APPROVED BY THE MAYOR ON JULY 10, 1987 RATIFIED BY THE VOTERS ON NOVEMBER 3, 1987 FOR \$6,000,000, (LXX) RESOLUTION VI OF 1987 APPROVED BY MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY, AND ORDINANCE 1023 OF THE CITY, APPROVED BY THE MAYOR ON JULY 10, 1987 RATIFIED BY THE VOTERS ON NOVEMBER 3, 1987 FOR \$4,300,000, AND (LXXI) RESOLUTION V OF 1987 APPROVED BY MEMBERS OF THE GENERAL ASSEMBLY OF MARYLAND REPRESENTING BALTIMORE CITY, AND ORDINANCE 1024 OF THE CITY, APPROVED BY THE MAYOR ON JULY 10, 1987 RATIFIED BY THE VOTERS ON NOVEMBER 3, 1987 FOR \$7,300,000.

THE CHAPTERS AND ORDINANCES LISTED ABOVE IN THIS RECITAL B ARE COLLECTIVELY REFERRED TO AS THE "BONDS ACTS".

C. The Bond Anticipation Note Act authorizes and empowers the City to borrow money in anticipation of the issuance of its bonds and to evidence such borrowing by the issuance and sale of its bond anticipation notes in aggregate amount not greater than the authorized amount of the bonds in anticipation of the sale of which the notes are issued and sold. The Bond Anticipation Note Act provides that such notes shall be payable as to interest and principal (except to the extent paid from proceeds of the sale of the notes) form the first proceeds of the bonds in anticipation of the sale of which such notes are issued. The Bond Anticipation Note Act further authorizes and empowers the City to pay up to twelve months interest on the notes from the proceeds of the notes.

D. The general obligation bonds authorized to be issued pursuant to the Bond Acts are sometimes referred to herein as the "Bonds".

E. The Bond Acts confer upon the Board of Finance of the City (as successor to the Commissioners of Finance of the City) certain powers in connection with the Bonds, including, without limitation, the power to determine the form or forms of Bonds, the date of the Bonds issued at any particular time, the right of redemption of the Bonds prior to maturity and the rate or rates of interest to be borne by the Bonds.

F. The Bond Anticipation Note Act authorizes the sale of any notes to be issued pursuant to such Act by public sale or by private negotiation with prospective purchasers, if such negotiated sale is deemed by the City to be in the best interest of the City.

G. Authority for the issuance of refunding notes is contained in Article 31, Section 24 of the Annotated Code of Maryland (1986 Replacement Volume and 1987 Supplement). Article 31, Section 24 is sometimes referred to in this Ordinance as the "Refunding Bond Enabling Act".

H. The Refunding Bond Enabling Act authorizes and empowers the City to issue and sell refunding obligations for the purpose of refunding any of its obligations then outstanding, provided that the public purpose of realizing savings in the effective costs of debt service to the City is achieved. Such savings may be a direct result of the refunding or may result from a reduction in debt service effectuated through a debt restructuring. The City may determine that any refunding obligations be sold on a negotiated basis without the solicitation of bids.

I. The City proposes to spend the proceeds of such refunding notes hereby authorized for the general public purposes of paying, prepaying, refinancing or restructuring the debt evidenced by the bond anticipation notes or any refunding notes issued pursuant to this Ordinance.

J. The City desires to use its borrowing powers to provide for an effective and flexible debt management program to meet the borrowing needs of the City in an responsible manner using recently available financing methods designed to provide substantial advantages to municipal borrowers during unfavorable bond market conditions.

SECTION. 1. Be it ordained by the Mayor and City Council of Baltimore, That acting pursuant to the Bond Anticipation Note Act and Refunding Bond Enabling Act and in accordance with the Bond Acts, it is hereby found and determined, as follows:

(a) General economic conditions are extremely unsettled and require sensitive and careful debt management in order to reduce to the greatest extent practical the cost of borrowing to the City.

(b) Current bond market conditions are unusual, erratic, and extraordinarily unfavorable in comparison to historical bondmarket conditions. An inflexible approach to borrowing by the City threatens its ability to initiate necessary capital projects and will diminish the resources available to provide for the needs of the citizens of the City in the future. A flexible approach to borrowing, taking advantage of demand for certain short term and other municipal obligations will best serve the interest of the City.

(c) The existence of an expanding market for tax-exempt obligations structured in the form of short term or demand obligations or commercial paper or other obligations having varying and flexible maturities, and for obligations related with interest rates that vary with a defined or stated indicator or index, other mechanisms or market conditions for comparable obligations or combinations of such maturities and rates, necessitates the establishment of procedures which permit the city to utilize such a market for its obligations.

(d) The Board of Finance, as the entity primarily responsible for the issuance and sale of the City's certificates of indebtedness, has the expertise and experience necessary to be primarily responsible for the determination of matters set forth herein to be within its jurisdiction.

(e) Private, negotiated sales are the primary and most efficient means of marketing such short term obligations, and in the absence of a determination by the Board of Finance to the contrary as to a particular issue or series, sales of obligations pursuant to this Ordinance on a negotiated basis are in the best public interest and will result in the lowest cost to the City.

(f) The City currently need funds to pay part or all of the costs of those certain projects or uses necessary or desirable for the welfare of the citizens of the City and more particularly described in the Bond Acts. In order to provide the City with the flexibility required by current bond market conditions, and in order to permit the construction and funding of the projects and uses described in the Bond Acts to proceed prior to the issuance of the Bonds, the City has determined to issue and sell its bond anticipation notes or refunding notes pursuant to this Ordinance in such amounts, on such terms and conditions and according to such procedures as are hereinafter provided.

(g) The net proceeds from the sale of the City's refunding notes authorized to be issued and sold by this Ordinance, shall be used and applied for the public purposes of (i) refinancing, restructuring, refunding, or renewing, in whole or in part, from time to time, the City's bond anticipation notes issued pursuant to this Ordinance and/or the bond acts and any refunding notes issued pursuant to this Ordinance and/or the Bond Acts; (ii) paying any redemption premiums and any interest accrued or to accrue to the date of redemption in connection with obligations being refinanced or refunded from the proceeds of the refunding

notes; and (iii) paying the costs of issuance of any series of refunding notes authorized under this Ordinance.

Sec. 2. And be it further ordained, That the issuance, sale and delivery of an amount not exceeding that permitted by the Bond Anticipation Note Act, the Refunding Bond Enabling Act and the Bond Acts, but not outstanding at any one time in excess of [one hundred million dollars (\$100,000,000)] ONE HUNDRED FIFTY MILLION DOLLARS (\$150,000,000), aggregate principal amount of notes or refunding notes, hereby designated "Consolidated Bond Anticipation Notes" or "Consolidated Bond Anticipation Refunding Notes" (the "Notes") is hereby authorized, subject to the provisions of this Ordinance. The Notes may be issued in one or more series, and each such series shall be identified by a designation by year and by letter so that, for example, the first series (if issued in 1982 and if the issuance of more than one series of notes hereunder is then contemplated) shall be designated "Consolidated Bond Anticipation Notes - 1982 Series A". The aggregate principal amount of notes to be issued pursuant to this Ordinance at any one time shall be determined by the Board of Finance by resolution adopted prior to the delivery of the Notes.

Sec. 3. And be it further ordained, That Notes or a series of Notes shall be dated as of the first day of the month in which the series of Notes is delivered unless the Board of Finance shall specify a different date in its resolution hereinafter described, and the Notes shall bear interest at an annual rate or rates payable semi-annually following the date of the series of Notes, unless the Board of Finance shall specify a different period of payment, so that if the Notes of a series are dated April 1, 1982 interest on that series of Notes will be payable on October 1, 1982, and semi-annually thereafter, unless the Board of Finance specifies otherwise. The Notes shall be in the denomination of Five Thousand Dollars (\$5,000) each, unless the Board of Finance shall specify a different denomination in its resolution hereinafter described, and the Notes of each series of Notes shall be numbered from one (1) consecutively upwards, unless, as to each matter, otherwise determined by the Board of Finance in its resolution hereinafter described.

Sec. 4. And be it further ordained, That prior to the delivery of any series of Notes, the Board of Finance shall adopt a resolution or resolutions which shall prescribe, subject to the Bond Anticipation Note Act, the Refunding Bond Enabling Act and the Bond Acts, as applicable, (i) the principal amount of Notes to be issued as a series at any one time, (ii) the date of issue of the series of Notes, (iii) the interest rate or rates to be borne by the series of Notes, or the method by which such interest rate or rates shall be determined, (iv) the time periods and method for payment of interest on the series of Notes, (v) the redemption provisions, if any, for the series of Notes, (vi) the maturity or maturities of the series of Notes, or method by which such maturity or maturities shall be determined, (vii) the method of competitive sale if any series of Notes is determined

to be sold at competitive sale rather than the negotiated sale found herein to be in the best public interest, (viii) the denominations of any series of Notes, (ix) the form, use of registration and means of payment of the series of Notes, and (x) any additional terms necessary or appropriate to reflect any matters provided in that resolution.

The Board of Finance hereby is authorized to adopt a master resolution to establish procedures to facilitate the prompt determination and approval of one or more of the matters set forth above. Such procedures may include telephonic approval and subsequent telegraphic or written confirmation of one or more of such matters by a designated officer of the City if prescribed guidelines or parameters set forth in the master resolution, or any amendment thereto, are not exceeded.

The Board further is authorized to establish any necessary relations with a commercial bank or other appropriate institution to facilitate the payment of short-term Notes, including the use of general or stand-by letters of credit, loan agreements, revolving loans or notes, rate insurance agreements or similar arrangements.

The Board also may take such further or additional actions as are need to permit the issuance of Notes in the nature of commercial paper as authorized by the Bond Anticipation Note Act.

The period during which interest may be capitalized for any series of Notes shall not exceed a period of twelve (12) months, unless a longer period is allowed by law at the time of issuance of the series of Notes.

Any resolution or resolutions adopted by the Board of Finance pursuant to this Ordinance shall be deemed to be of an administrative nature.

Sec. 5. And be it further ordained, That the City hereby covenants that (i) it will pay the interest on and principal of the Notes, to the extent not paid from proceeds of the Notes, from the proceeds of the Bonds and any other available funds, and (ii) it will issue the Bonds when, and as soon as, the reason for deferring their issuance no longer exists; but in any event, in sufficient time to permit the payment of the Notes when due (whether at maturity or by acceleration or otherwise).

Sec. 6. And be if further ordained, That the City and the purchasers of the Notes recognize the possibility, but do not anticipate, that the City may be unable to issue the Bonds in sufficient time to provide for payment of the interest on and the principal of the Notes when due (whether at maturity or by acceleration or otherwise). The City hereby covenants that in such event the City will levy ad valorem taxes upon each one hundred dollars (\$100.00) of property within the corporate limits of the City of Baltimore subject to assessment for full City taxes, at a rate sufficient to provide for the payment, when due,

(whether at maturity or by acceleration or otherwise) of the principal of and interest on all Notes.

To assure the performance by the City of the provisions of this Section, the full faith and credit and unlimited taxing power of the City are hereby irrevocably pledged to the payment when due (whether at maturity or by acceleration) of the principal of and interest on the Notes hereby authorized and to the levy and collection of the taxes hereinabove described as and when such taxes may become necessary in order to provide sufficient funds for the payment when due (whether at maturity or by acceleration or otherwise) of the payment of the principal of and interest on the Notes hereby authorized to be issued; this pledge is made hereby for the benefit of the holders, from time to time, of the Notes hereby authorized.

The City hereby solemnly covenants and agrees with each holder of any of the Notes hereby authorized to levy and collect the taxes hereinabove described and to take any other action that may be appropriate from time to time during the period that any of such Notes remain outstanding and unpaid to provide the funds necessary to make principal and interest payments thereon, when due (whether at maturity or by acceleration or otherwise).

Sec. 7. And be it further ordained, That all Notes shall be executed in the name of the Mayor and City Council of Baltimore and on its behalf by the manual or facsimile signature of the Mayor of the City and the Director of Finance of the City and the corporate seal of the City shall be imprinted thereon, attested by the Custodian or the Alternate Custodian of the Seal of the City, by his manual or facsimile signature. At least on signature required or permitted to be placed on the Notes shall be manually subscribed.

If any official whose signature shall appear on any series of the Notes shall cease to be such official prior to the delivery of any series of Notes, or, in the event any such official whose signature shall appear on any series of Notes shall have become such after the date of issue thereof, the Notes of such series shall nevertheless be valid and legally binding obligations of the City in accordance with their terms.

The Notes shall be fully registered as to both principal and interest in the name or names of the owner or owners thereof in such a manner as shall be determined by the Board of Finance. The principal of the Notes shall be payable as determined in the form of the Notes approved by a Resolution of the Board of Finance. The interest on the Notes shall be payable by the City in such a manner as determined by the Board of Finance.

All Notes shall be in a form approved by the Board of Finance.

Sec. 8. And be it further ordained, That, pursuant to the authority of the Bond Anticipation Note Act and the Refunding

Bond Enabling Act, it is hereby determined that considering the nature and maturity of the Notes, present bond market conditions, the identity of prospective purchasers indicating an interest in purchasing the Notes and other relevant considerations arising from current economic conditions, it would be in the best interest of the City to sell the entire authorized principal amount of the Notes at private (negotiated) sale; however, current bond market conditions including (without limitation) substantial, rapid variations in interest rates and the present overall record high level of interest rates indicate bond market conditions which could change rapidly so that, at some subsequent time, it might better serve the interests of the City to offer and sell the Notes, either in whole or in part, at competitive sale; taking these factors into account, the City has determined to authorize, and does hereby authorize, the Board of Finance (i) to sell a portion of the Notes at private (negotiated) sale, (ii) to sell the remaining principal amount of the Notes at private (negotiated) sale or at competitive sale, if the Board of Finance finds and determines that market conditions at the time of the sale of the Notes (including without limitation, the availability of interested prospective purchasers to negotiate for a purchase of the Notes) to sell such balance at competitive sale, or (iii) to sell the entire amount of the Notes at competitive sale, if the Board of Finance finds and determines that such bond market conditions existing at the time of sale then indicate that a competitive sale would be in the best interests of the City. The Board of Finance shall, by resolution, award the sale of any series of Notes to the purchaser or purchasers thereof. In connection with such award, the City is authorized to enter into a purchase contract, loan agreement or other document evidencing the agreement of the City and the purchaser or purchasers of the Notes which document (i) may contain such covenants and assurances deemed necessary or appropriate in connection with such award and (ii) shall be approved by the Board of Finance in the resolution awarding the sale of the Notes.

The Notes of each series shall be suitably prepared and duly executed and delivered to the purchaser or purchasers at the expense of the City, from time to time, as determined by resolution of the Board of Finance, upon payment therefor upon such terms as the Board of Finance may determine.

The resolution of the Board of Finance may provide that any or all of the Notes may be renewed at maturity without resale.

Sec. 9. And be it further ordained, That, authority hereby is conferred on the Board of Finance, to take the following actions and to make the following commitments on behalf of the City:

(a) to deliver such agreements as are needed to implement the financing authorized herein, in the form determined by resolution of the Board of Finance;

(b) to prepare and distribute disclosure memoranda and related material need to implement the financing authorized herein;

(c) to evaluate and determine periodically the time for issuance of the Bonds including the establishment of dates by which such bonds are expected to be issued, or date before which such bonds are not expected to be issued; and

(d) to do any and all things, proper or expedient in connection with the issuance and sale of the Notes.

Sec. 10. And be it further ordained, That, the Board of Finance may be resolution approved the renewal, restructuring, extension or modification of the terms of the Notes, without the formal issuance of refunding notes, and with the benefit of the terms of this Ordinance, provided such action is otherwise consistent with the terms of this Ordinance. In connection with the issuance of the Notes, the City may find it necessary or appropriate to purchase the Notes and hold them for resale rather than to have such purchase serve as redemption of the Notes. The Board of Finance may provide for such purchase, include any appropriate provision in the form of Note to that effect, and provide that purchase of the Notes by the City shall not be deemed a redemption unless otherwise indicated by the City by cancellation of the Note or otherwise.

Sec. 11. And be it further ordained, That the Board of Finance may, prior to the implementation of any financing program described herein, select and retain legal counsel to assist in the establishment of the program and to perform such services as are necessary or desirable in connection therewith.

Sec. 12. And be it further ordained, That, the provisions of this Ordinance are severable, and if any provisions, sentence, clause, section or part hereof is held illegal, invalid or unconstitutional or inapplicable to any person or circumstances such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance or its application to other persons or circumstances. it is hereby declared to the legislative intent that this Ordinance would have been adopted if such illegal, invalid or unconstitutional provisions, sentence, clause, section or part had not been included herein, and if the person or circumstances to which this Ordinance or any part thereof is inapplicable had been specifically exempted herefrom.

Sec. 13. And be it further ordained, That, this Ordinance shall take effect from the date of its passage."

Sec. 2. And be it further ordained, That, the provisions of this Ordinance are severable, and if any provisions, sentence, clause, section or part hereof is held illegal, invalid or unconstitutional or inapplicable to any person or circumstances such illegality, invalidity or unconstitutionality, or

inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance or its application to other persons or circumstances. It is hereby declared to be the legislative intent that this Ordinance would have been adopted if such illegal, invalid or unconstitutional provision, sentence, clause, section or part had not been included herein, and if the person or circumstances to which this Ordinance or any part thereof is inapplicable had been specifically exempted herefrom.

Sec. 3. And be it further ordained, That this ordinance shall take effect on the date of its enactment.

February 26, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 18

(Council No. 10)

AN ORDINANCE concerning

PARKING - RESERVED

WOODBOURNE AVENUE

For the purpose of providing for reserved parking on Woodbourne Avenue for Rufus Tucker.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That on the north side of Woodbourne Avenue, from a point 407' east of Hillen Road to a point 429' east of Hillen Road, parking is reserved for Rufus Tucker, displaying a permit.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

Approved March 4, 1988

KURT L. SCHMOKE, Mayor

Ord. No. 19

ORDINANCE NO. 19

(Council No. 14)

AN ORDINANCE concerning

PARKING - RESERVED

N. ELLAMONT STREET

For the purpose of providing for reserved parking on the east side of Ellamont Street for Idella Nichols.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That on the east side of Ellamont Street from a point 153' north of Gwynns Falls Parkway to a point 131' north of Gwynns Falls Parkway, parking is reserved for Idella Nichols, displaying permit.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

March 4, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 20

(Council No. 15)

AN ORDINANCE concerning

PARKING - RESERVED

LAFAYETTE AVENUE

For the purpose of providing for reserved parking on the north side of Lafayette Avenue for James H. Jarmon.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That on the north side of Lafayette Avenue from a point 173' east of Franklinton Road to a point 195' east of Franklinton Road, parking is reserved for James H. Jarmon, displaying a permit.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

March 4, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 21

(Council No. 16)

AN ORDINANCE concerning

PARKING - RESERVED

RIDGEWOOD ROAD

For the purpose of providing for reserved parking on the south side of Ridgewood Road for Mary Hoen.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That on the south side of Ridgewood Road from a point 163' west of Roland Avenue to a point 185' west of Roland Avenue, parking is reserved for Mary Hoen, displaying permit.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

March 4, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 22

(Council No. 17)

AN ORDINANCE concerning

PARKING - RESERVED

CAROLINE STREET

For the purpose of providing for reserved parking on the west side of Caroline Street for John McKay.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That on the west side of Caroline Street from a point 95' north of Preston Street to a point 117' north of Preston Street, parking is reserved for John McKay, displaying a permit.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

March 4, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 23

Council No. 44)

AN ORDINANCE concerning

RESERVED PARKING ON

ARSAN AVENUE

For the purpose of providing for reserved parking on the north side of Arsan Avenue for David Cage.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That on the north side of Arsan Avenue, from a point 145' west of 5th Street to a point 168' west of 5th Street, parking is reserved for David Cage, displaying a permit.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

March 4, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 24

(Council No. 63)

AN ORDINANCE concerning

CITY STREET - OPENING CERTAIN STREETS AND ALLEYS
OR PORTIONS THEREOF WITHIN THE
FRANKLIN SQUARE URBAN RENEWAL PROJECT

FOR the purpose of condemning and opening certain streets and alleys or portions thereof bounded by Lexington Street, Gilmor Street, Saratoga Street and Stricker Street and lying within the area of the Franklin Square Urban Renewal Project in accordance with a plat thereof numbered 340-A-25, prepared by the Surveys and Records Division and filed in the Office of the Department of Public Works, on the Thirty-first (31st) day of December, 1987.

BY authority of

Article I - General Provisions

Section - 4

Article II - General Powers

Sections 2, 34, 35

Baltimore City Charter (1964 Revision, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works be, and they are

hereby authorized and directed to condemn and open certain streets and alleys or portions thereof bounded by Lexington Street, Gilmor Street, Saratoga Street and Stricker Street and lying within the area of the Franklin Square Urban Renewal Project, the streets and alleys or portions thereof hereby directed to be condemned for said opening being described as follows:

1 - An alley, 4 feet wide, laid out in the rear of the property known as No. 1511 W. Saratoga Street and extending from the east side of a 10 foot alley laid out 90 feet west of Stricker Street, 66 feet wide, Easterly 11.25 feet and designated as Parcel No. 1 on said plat.

2 - An alley, 10 feet wide, laid out 90 feet west of Stricker Street, 66 feet wide, and extending from the south side of Saratoga Street, 60 feet wide, Southerly 102.5 feet to a 10 foot alley there situate and designated as Parcel No. 2 on said plat.

3 - An alley, 10 feet wide, distant 102.5 feet southerly, measured along the east side of Parrish Street, 20 feet wide, from the south side of Saratoga Street, 60 feet wide, and extending from the east side of said Parrish Street, Easterly 157 feet, more or less, to Stricker Street, 66 feet wide, and designated as Parcel No. 3 on said plat.

4 - A portion of an alley, 4 feet wide, laid out in the rear of the properties known as Nos. 235 through and including 241 N. Gilmor Street and extending from the north side of a 10 foot alley, there situate, Northerly 68 feet to the end thereof and designated as Parcel No. 4 on said plat.

5 - An alley, 10 feet wide, distant 102.5 feet southerly, measured along the east side of Gilmor Street, 66 feet wide, from the south side of Saratoga Street, 60 feet wide, and extending from the east side of said Gilmor Street, Easterly 157 feet, more or less, to Parrish Street, 20 feet wide, and designated as Parcel No. 5 on said plat.

6 - Parrish Street, 20 feet wide, and extending from the north side of a 10 foot alley laid out 90 feet north of Lexington Street, 66 feet wide, Northerly 233 feet, more or less, to a 10 foot alley and designated as Parcel No. 6 on said plat.

7 - An alley, 10 feet wide, laid out in the rear of the property known as No. 201 N. Parrish Street and extending from the north side of a 10 foot alley laid out 90 feet north of Lexington Street, 66 feet wide, Northerly 13.33 feet and designated as Parcel No. 7 on said plat.

8 - A portion of an alley, varying in width from 10 feet to 3 feet, laid out in the rear of the properties known as Nos. 205 through and including 231 N. Parrish Street and extending from the line of the south outline of No. 205 N. Parrish Street, if projected easterly, Northerly 168 feet, more or less, to the end thereof and designated as Parcel No. 8 on said plat.

The said street and alleys or portions thereof as directed to be condemned being more particularly described and referred to among the Land Records of Baltimore City and delineated and particularly shown on a plat numbered 340-A-25 which was filed in the Office of the Department of Public Works on the Thirty-first (31st) day of December, in the year 1987, and is now on file in said Office.

SEC. 2. AND BE IT FURTHER ORDAINED, That the proceedings of said Department of Public Works, with reference to the condemnation and opening of said street and alleys or portions thereof and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1964 Revision, as amended) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SEC. 3. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect on the date of its enactment.

March 4, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 25

(Council No. 64)

AN ORDINANCE concerning

CITY STREET - CLOSING CERTAIN STREETS AND ALLEYS WITHIN
THE FRANKLIN SQUARE URBAN RENEWAL PROJECT

FOR the purpose of condemning and closing certain streets and alleys bounded by Lexington Street, Gilmor Street, Saratoga Street and Stricker Street and lying within the area of the Franklin Square Urban Renewal Project in accordance with a plat thereof numbered 340-A-25A, prepared by the Surveys and Records Division and filed in the Office of the Department of Public Works, on the Thirty-first (31st) day of December, 1987.

BY authority of

Article I - General Provisions

Section - 4

Article II - General Provisions

Sections 2, 34, 35

Baltimore City Charter (1964 Revision, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works be, and they are hereby authorized and directed to condemn and close certain streets and alleys bounded by Lexington Street, Gilmore Street, Saratoga Street and Stricker Street and lying within the area of the Franklin Square Urban Renewal Project the streets and alleys ~~or-portsions-thereof~~ hereby directed to be condemned for said closing being described as follows:

1 - An alley, 4 feet wide, laid out in the rear of the properties known as Nos. 1511 through and including 1505 W. Saratoga Street and extending from the east side of a 10 foot alley laid out 90 feet west of Stricker Street, 66 feet wide, Easterly 45 feet to the end thereof and designated as Parcel No. 1 on said plat.

2 - An alley, 10 feet wide, laid out 90 feet west of Stricker Street, 66 feet wide, and extending from the south side of Saratoga Street, 60 feet wide, Southerly 102.5 feet to a 10 foot alley there situate and designated as Parcel No. 2 on said plat.

3 - An alley, 10 feet wide, distant 102.5 feet southerly, measured along the east side of Parrish Street, 20 feet wide, from the south side of Saratoga Street, 60 feet wide, and extending from the east side of said Parrish Street, Easterly 157 feet, more or less, to Stricker Street, 66 feet wide, and designated as Parcel No. 3 on said plat.

4 - An alley, 4 feet wide, laid out in the rear of the properties known as Nos. 235 through and including 241 N. Gilmore Street and extending from the north side of a 10 foot alley, there situate, Northerly 68 feet to the end thereof and designated as Parcel No. 4 on said plat.

5 - An alley, 10 feet wide, distant 102.5 feet southerly, measured along the east side of Gilmore Street, 66 feet wide, from the south side of Saratoga Street, 60 feet wide, and extending from the east side of said Gilmore Street, Easterly 157 feet, more or less, to Parrish Street, 20 feet wide, and designated as Parcel No. 5 on said plat.

6 - Parrish Street, 20 feet wide, and extending from the north side of a 10 foot alley laid out 90 feet north of Lexington Street, 66 feet wide, Northerly 233 feet, more or less, to a 10 foot alley and designated

as Parcel No. 6 on said plat.

7 - An alley, varying in width from 10 feet to 3 feet laid out in the rear of the properties known as Nos. 201 through and including 231 N. Parrish Street and extending from the north side of a 10 foot alley laid out 90 feet north of Lexington Street, 66 feet wide, Northerly 193 feet, more or less, to the end thereof and designated as Parcel No. 7 on said plat.

The said street and alleys as directed to be condemned being more particularly described and referred to among the Land Records of Baltimore City and delineated and particularly shown on a plat numbered 340-A-25A which was filed in the Office of the Department of Public Works on the Thirty-first (31st) day of December, in the year 1987, and is now on file in said Office.

SEC. 2. AND BE IT FURTHER ORDAINED, That after said highway or highways shall have been closed under the provisions of this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, shall be and continue to be the property of the Mayor and City Council of Baltimore, in fee simple, until the use thereof shall be abandoned by the Mayor and City Council of Baltimore, and in the event that any person, firm or corporation shall desire to remove, alter or interfere therewith, such person, firm or corporation shall first obtain permission and permits therefor from the Mayor and City Council of Baltimore, and shall in the application for such permission and permits agree to pay all costs and charges of every kind and nature made necessary by such removal, alteration or interference.

SEC. 3. AND BE IT FURTHER ORDAINED, That no buildings or structures of any kind shall be constructed or erected in said portion of said highway or highways after the same shall have been closed under the provisions of this Ordinance until the subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, over which said buildings or structures are proposed to be constructed or erected shall have been abandoned or shall have been removed and relaid in accordance with the specifications and under the direction of the Director of Public Works of Baltimore City, and at the expense of the person or persons or body corporate desiring to erect such buildings or structures. Railroad tracks shall be taken to be "structures" within the meaning of this section.

SEC. 4. AND BE IT FURTHER ORDAINED, That after said highway or highways shall have been closed under the provisions of this Ordinance, all subsurface structures and appurtenances owned by any person, firm or corporation, other than the Mayor and City Council of Baltimore, shall upon notice from the Director of Public Works of Baltimore City, be promptly removed by and at the expense of the said owners.

SEC. 5. AND BE IT FURTHER ORDAINED, That on and after the closing of said highway or highways, the said Mayor and City Council of Baltimore, acting through its duly authorized representatives, shall, at all times, have access to said property and to all subsurface structures and appurtenances used by it therein, for the purposes of inspection, maintenance, repair, alteration, relocation and/or replacement, ~~or~~ of any or all of said structures and appurtenances, and this without permission from or compensation to the owner or owners of said land.

SEC. 6. AND BE IT FURTHER ORDAINED, That the proceedings of said Department of Public Works with reference to the condemnation and closing of said ~~streets~~ street and alleys and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1964 Revision) as amended to July 1, 1973 and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SEC. 7. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect on the date of its enactment.

March 4, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 26

(Council No. 45)

AN ORDINANCE concerning

RESERVED PARKING ON
THIRD STREET

For the purpose of providing for reserved parking on the west side of Third Street for Mary Frances Kagle.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That on the west side of Third Street, from a point 23' south of Cambria Street to a point 45' south of Cambria Street, parking is reserved for Mary Frances Kagle, displaying a permit.

Ord. No. 27

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

March 11, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 27

(Council No. 47)

AN ORDINANCE concerning

RESERVED PARKING ON
N. KENWOOD AVENUE

For the purpose of providing for reserved parking on the west side of Kenwood Avenue for Mary Getchell.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That on the west side of Kenwood Avenue, from a point 139' north of Baltimore Street to a point 161' north of Baltimore Street, parking is reserved for Mary Getchell, displaying a permit.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

March 11, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 28

(Council No. 24)

AN ORDINANCE concerning

UNDERGROUND PETROLEUM PIPELINE FRANCHISE

FOR the purpose of granting permission and authority to Colonial Pipeline Company, its successors and assigns, hereinafter referred to as Grantee, to construct and maintain at its own cost and expense for a period not exceeding twenty-five years, one 8.625 inch petroleum pipeline with appropriate protection in and across the road of Boston Street, at a point 219.5 feet east of South Haven Street in Ward 26, Section 2, Blocks 6498-A and 6512. The centerline of said petroleum pipeline being shown on the corresponding numbered plan attached hereto and made a part hereof as Exhibit A and described hereon in Section 1. The purpose of this crossing is to provide petroleum product common carrier services.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission and authority be and the same hereby be granted to Colonial Pipeline Company, its successors and assigns, hereinafter referred to as Grantee, to construct and maintain a 8.625 inch petroleum pipeline at its own cost and expense for a period not to exceed twenty-five years, except as allowed by the City Charter, for the purpose of providing petroleum product common carrier services located and described as shown on Exhibit A attached hereto and made a part hereof and as more particularly described as follows:

Commencing at the intersection of Boston Street and South Haven Street in Ward 26, Section 2, Blocks 6498-A and 6512, Baltimore City, Maryland, thence in a southerly direction a distance of 35 feet to the south right of way of Boston Street; thence in an easterly direction along the south right of way line of Boston Street a distance of 211.5 feet to the intersection of the east rail of Canton Railroad Company and the true point of beginning of Colonial Pipeline Company's 8.625-inch pipeline across Boston Street; thence northerly and easterly along the said east rail a distance of 88.0 feet to a point; thence northerly a distance of 45 feet to the new Boston Street right of way line; thence westerly along said Boston Street right of way line a distance of 228 feet to the centerline of South Haven Street; thence southerly along the centerline of South Haven Street a distance of 97 feet to the centerline of Boston Street and the point of beginning. Said 8.625-inch pipeline crosses Boston Street a distance of 133 feet, more or less.

SEC. 2. AND BE IT FURTHER ORDAINED, That the said Grantee, or its successors and assigns, as the case may be, shall pay to the said Mayor and City Council of Baltimore, as compensation for the franchise or privilege hereby granted, the sum of One Hundred Ninety-Nine Dollars (\$199.50) per year, payable in advance during the continuance of this franchise or privilege, or any renewal thereof; and subject to the increase or decrease of this charge as provided in Section 3 herein.

SEC. 3. AND BE IT FURTHER ORDAINED, That the Mayor and City Council of Baltimore hereby expressly reserves the right and power, at all times, to exercise, in the interest of the public, full municipal superintendence, regulation, and control in respect to all matters connected with this grant and not inconsistent with the terms hereof. The franchise herein granted shall be held, exercised, and enjoyed for a period of one year from the effective date of this ordinance, with the further right to the Grantee to twenty-four (24) consecutive one year renewals of the franchise, each such renewal to be for a period of one year, upon the same terms and conditions as the original one year grant, except as otherwise provided herein. Each one year renewal period shall take effect immediately upon the expiration of the original or renewal term then in force, without any action

being taken on behalf of either the Mayor and City Council of Baltimore or the Grantee, but the total period of time during which the franchise shall operate, including the original term and all renewals thereof, shall not exceed, in the aggregate, twenty-five years except as allowed by the City Charter. Provided, that the Mayor and City Council of Baltimore, acting by and through the Board of Estimates, may increase or decrease the franchise charge payable by the Grantee under the provisions hereof, by giving written notice to that effect to the Grantee at least one hundred and fifty (150) days prior to the expiration of the original one year term granted herein, or any yearly renewal term herein granted which becomes effective after any increase or decrease in said franchise charge has occurred. Provided further, that either the Mayor and City Council of Baltimore, acting by and through the Director of Public Works, or the Grantee may terminate the franchise granted for good cause and the best interest of Baltimore City, by giving written notice to that effect to the other, at least ninety (90) days prior to the expiration of the original one year term granted herein or any one year renewal term herein granted and then in effect, provided, that the Mayor of Baltimore City and City Council of Baltimore shall give Grantee written notice of such forfeiture and a period of thirty (30) days from the date of receipt by Grantee of any such notice to cure any breach or noncompliance. In the event of a failure by Grantee to cure, within such thirty (30) day period, any breach or noncompliance, nothing, except an ordinance of The Mayor, shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 4. AND BE IT FURTHER ORDAINED, That the said Grantee, its successors and assigns, shall maintain the structure for which the franchise is herein granted in good condition throughout the full term of this grant and so long as said structure shall exist at the location described herein. In the event the structures herein described must be adjusted, relocated, protected, or supported to accommodate a public improvement, the Grantee shall pay all costs in connection therewith.

SEC. 5. AND BE IT FURTHER ORDAINED, That non-compliance with any of the terms or conditions of the grant hereby made by the said Grantee, its successors and assigns, at any time or times, shall, at the option of the Mayor and City Council of Baltimore, operate as a forfeiture of said grant, which shall thereupon be and become void, and that nothing other than an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 6. AND BE IT FURTHER ORDAINED, That the Mayor of Baltimore City shall have the right to revoke without prior notice, at anytime or times, the rights and privileges hereby granted when, in his judgment, the public welfare or safety requires such revocation and, upon written notice (at least one hundred and eighty (180) days prior to requiring any described action) to that effect from the Mayor of Baltimore served upon

the Grantee hereunder, its successors and assigns, all rights under this ordinance shall cease and terminate.

SEC. 7. AND BE IT FURTHER ORDAINED, That in the event of any renovation, forfeiture or termination for any reason whatsoever of the rights and privileges by this ordinance granted, and in the event of a proposed public improvement requiring said removal, the said Grantee hereunder, its successors and assigns, shall, at its or their expense, remove the structure for which the franchise is herein granted in a manner satisfactory to the Director of Public Works of Baltimore City, such removal to be made without any compensation to the Grantee, its successors and assigns, and to be completed within such time as shall be specified in writing by the said Director of Public Works.

SEC. 8. AND BE IT FURTHER ORDAINED, That the said Grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore, except for gross negligence by the City of Baltimore, against any and all suits, losses, costs, claims, damages, or expenses to which the said Mayor and City Council of Baltimore may from time to time be subjected on account of, by reason of, or resulting from:

A. The presence, construction use operation, maintenance, alteration, repair, location, relocation, or removal of the structure for which the franchise is herein granted; and

B. Any failure on the part of said Grantee, its successors and assigns, to perform, promptly and properly, any of the duties or obligations imposed upon it or them by the terms and provisions of this ordinance.

SEC. 9. AND BE IT FURTHER ORDAINED, That this ordinance shall take place on the date of its passage.

March 17, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 29

(Council No. 48)

AN ORDINANCE concerning

RESERVED PARKING ON

CHESTERFIELD AVENUE

For the purpose of providing for reserved parking on the east side of Chesterfield Avenue for Angelo Marino.

Ord. No. 30

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That on the east side of Chesterfield Avenue, beginning at property line of 3654 Juneway (235' south of Juneway) to a point 252' south of Juneway, parking is reserved for Angelo Marino, displaying a permit.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

March 17, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 30

(Council No. 50)

AN ORDINANCE concerning

REPEAL OF RESERVED PARKING ORDINANCE

GRINNALDS AVENUE

For the purpose of repealing Ordinance No. 813, approved 10/27/86, which provided for reserved parking on the east side of Grinnallds Avenue for Magdalena Vain.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Ordinance No. 813, approved 10/27/86, is hereby repealed, and the authorization for reserved parking on the east side of Grinnallds Avenue therein provided is hereby rescinded.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

Macrh 17, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 31

(Council No. 4)

AN ORDINANCE concerning

PARKING - RESERVED

O'DONNELL STREET

For the purpose of providing for reserved parking on the south side of O'Donnell Street for George Cawthern.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That on the south side of O'Donnell Street from a point 66' east of Robinson Street to a point 87' east of Robinson

Street, parking is reserved for George Cawthern, displaying permit.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

March 28, 1988

KURT L. SCHMOKE, Mayor

SECOND PRINTING

ORDINANCE NO. 32

(Council No. 22)

AN ORDINANCE concerning

**ZONING - PLANNED UNIT DEVELOPMENT
4500 BLOCK ERDMAN AVENUE**

FOR the purpose of approving the application of Freedom Joint Venture and McDonald's Corporation to have the property located in the 4500 block of Erdman Avenue, consisting of 3.248 acres, more or less, designated a Business Planned Unit Development; and to approve the Development Plan, which includes a drive-in restaurant with a drive-through window, submitted by Freedom Joint Venture and McDonald's Corporation.

BY authority of
Article 30 - Zoning
Sections 12.0-1 and 12.0-4
Baltimore City Code (1983 Replacement Volume, as amended)

WHEREAS, Joint Freedom Venture is the owner of certain property located in the 4500 block of Erdman Avenue north of East Federal Street, consisting of 3.248 acres, more or less; and

WHEREAS, On November 30, 1987, representatives of Freedom Joint Venture and McDonald's Corporation met with the Department of Planning of Baltimore City to hold a pre-petition conference to explain the scope and nature of existing and proposed development on the property in order to institute proceedings to have said property designated a Business Planned Unit Development; and

WHEREAS, Freedom Joint Venture and McDonald's Corporation have made formal application to the City Council of Baltimore City and have submitted the requisite Development Plan including the following: existing site plan of subject property dated December 7, 1987 by Murphy and Dittenhafer Architects, Inc.; site plan with proposed restaurant/retail dated December 7, 1987 by

Murphy and Dittenhafer Architects, Inc.; site plan details for McDonald's Corporation portion of subject property by STV/Lyon Associates dated December 7, 1987 as revised, per City review comments, February 23, 1988 and a Property Location tax block map of the subject property on which the area of the business planned development is outlined in yellow and the area of the McDonald's Restaurant with a drive-through window is outlined in red; now, therefore,

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the application of Freedom Joint Venture and McDonald's Corporation to have the property owned by Freedom Joint Venture located in the 4500 block of Erdman Avenue, consisting of 3.248 acres, more or less, to designate the property as a Business Planned Unit Development pursuant to Article 30, Sections 12.0-1 and 12.0-4 of the Baltimore City Code (1983 Replacement Volume, as amended) be and it is hereby approved.

SEC. 2. AND BE IT FURTHER ORDAINED, That the Development Plan submitted by Freedom Joint Venture and McDonald's Corporation, attached hereto and made a part hereof, be and it is hereby approved.

SEC. 3. AND BE IT FURTHER ORDAINED, That in accordance with Section 12.0-4a-3, permission is hereby granted for the establishment, maintenance and operation of a drive-in restaurant with a drive-through window at the south end of the existing shopping center.

SEC. 4. AND BE IT FURTHER ORDAINED, That subsequent to the passage of this ordinance by the City Council, all changes in the approved Development Plan for the property shall be reviewed and approved by the Planning Commission, provided such changes are consistent with this ordinance.

SEC. 5. AND BE IT FURTHER ORDAINED, That upon passage of this ordinance by the City Council, as evidence of the authenticity of the Development Plan which is a part hereof and in order to give notice to the departments which are administering the Zoning Ordinance, the President of the City Council shall sign the Development Plan, and when the Mayor approves the ordinance, he shall sign the Development Plan. The Director of Finance shall then transmit a copy of the ordinance and the Development Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the Supervisor of Assessments for Baltimore City and the Zoning Administrator.

SEC. 6. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

March 28, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 33

(Council No. 69)

AN ORDINANCE concerning

PARKING - RESERVED

W. MULBERRY STREET

For the purpose of providing for reserved parking on W. Mulberry Street for May B. Jordan.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That on the north side of Mulberry Street, from a point 12' west of Denison Street to a point 34' west of Denison Street, parking is reserved for May B. Jordan, displaying a permit.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

March 28, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 34

(Council No. 113)

AN ORDINANCE concerning

REGISTRATION OF OWNERS OF PROPERTY

FOR the purpose of reenacting a provision erroneously omitted from an amendment to the Code.

BY adding

Article 13 - Housing and Urban Renewal

Housing Code

Chapter 3

Subsection 309(g)

Baltimore City Code (1983 Replacement Volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Section(s) of the Baltimore City Code (1983 Replacement Volume, as amended) be added, repealed, or amended to read as follows:

ARTICLE 13 - HOUSING AND URBAN RENEWAL

HOUSING CODE

Chapter 3

309. Registration of residential property and designation of authorized agent for receipt of notices and court process.

(G) ANY OWNER OF A DWELLING UNIT LIABLE TO PAY THE REGISTRATION FEE IMPOSED BY THIS SECTION WHO FAILS TO PAY SAME WITHIN THIRTY (30) DAYS FROM THE TIME IT BECOMES DUE AND PAYABLE SHALL BE LIABLE, IN ADDITION TO THE FEE, FOR A CIVIL PENALTY ON THE AMOUNT OF THE FEE AT THE RATE OF ONE PERCENT (1%) PER MONTH OR FRACTION THEREOF, PLUS INTEREST AT THE RATE OF ONE PERCENT (1%) PER MONTH OR FRACTION THEREOF. SAID PENALTY IS IN ADDITION TO OTHER PENALTIES AUTHORIZED BY LAW.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

March 28, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 35

(Council No. 135)

AN ORDINANCE concerning

CITY PROPERTY - SALE

FOR the purpose of authorizing the Mayor and City Council of Baltimore to sell at either public or private sale all of the interest of the Mayor and City Council of Baltimore in and to that parcel of land and improvements located at 2201 Walbrook Avenue, Baltimore, Maryland, said parcel of land and improvements being no longer needed for public use.

BY authority of

Article V - Comptroller

Section 5(b)

Baltimore City Charter (1964 Revision, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Comptroller of Baltimore City be and he is hereby authorized to sell at either public or private sale in accordance with Article V, Section 5(b) of the City Charter (1964 Revision, as amended), all of the interest of the Mayor and City Council of Baltimore in and to that parcel of land and improvements situate in Baltimore, Maryland, and described as follows:

2201 Walbrook Avenue (Block 3204, Lot 35)
formerly known as School 142, Robert W. Coleman Elementary School

containing 3,150 square feet of land, more or less said property being no longer needed for public use.

SEC. 2. AND BE IT FURTHER ORDAINED, That no deed or deeds shall pass in accordance herewith until the same shall have been first approved by the City Solicitor.

SEC. 3. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

March 28, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 36

(Council No. 23)

AN ORDINANCE concerning

ZONING - HEARING-AID-SALES
ORTHOPEDIC AND MEDICAL APPLIANCE STORES

FOR the purpose of adding hearing-aid orthopedic and medical appliance stores sales to the list of conditional uses in the B-1 Zoning District subject to certain conditions.

BY adding

Article 30 - Zoning
Chapter 6 - Business Districts
Section 6.1-1c-3a
Baltimore City Code (1983 Replacement Volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL, That Section(s) of the Baltimore City Code (1983 Replacement Volume, as amended) be added, repealed, or amended, to read as follows:

ARTICLE 30 - ZONING

Chapter 6 - Business Districts

6.1 B-1 Neighborhood Business District

1. Use regulations

c. Conditional uses

3A. HEARING-AID-SALES ORTHOPEDIC AND MEDICAL APPLIANCE STORES WHEN LIMITED TO NOT MORE THAN 4 PROFESSIONALS EMPLOYEES OPERATING FROM THE LOCATION.

Ord. No. 37

SEC. 2. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect on the date of its enactment.

March 30, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 37

(Council No. 86)

AN ORDINANCE concerning

RESERVED PARKING ON

W. 41ST. STREET

For the purpose of providing for reserved parking on the north side of 41st Street for Anna Thomas.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That on the north side of 41st Street, from a point 38' east of Evans Chapel Road to a point 60' east of Evans Chapel Road, parking is reserved for Anna Thomas, displaying a permit.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

March 30, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 38

(Council No. 87)

AN ORDINANCE concerning

RESERVED PARKING ON

E. 27TH STREET

For the purpose of providing for reserved parking on the north side of E. 27th Street for William Sturgis.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That on the north side of E. 27th Street, from Guilford-Avenue to a point 140 feet west of Barclay Street Street to a point 162 feet west of Barclay Street, parking is reserved for William Sturgis, displaying a permit.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

March 30, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 39

(Council No. 88)

AN ORDINANCE concerning

RESERVED PARKING ON

RAYMONN AVENUE

For the purpose of providing for reserved parking on the west side of Raymonn Avenue for Ethel Morrow.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That on the west side of Raymonn Avenue, from a point 232' south of Clifftmont Avenue to a point 254' south of Clifftmont Avenue, parking is reserved for Ethel Morrow, displaying a permit.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

March 30, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 40

(Council No. 89)

AN ORDINANCE concerning

RESERVED PARKING ON

LUDGATE ROAD

For the purpose of providing for reserved parking on the south side of Ludgate Road for Robert Segers.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That on the south side of Ludgate Road, from a point 200' east of Clover Road to a point 222' east of Clover Road, parking is reserved for Robert Segers, displaying a permit.

Ord. No. 41

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

March 30, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 41

(Council No. 104)

AN ORDINANCE concerning

RESERVED PARKING FOR DISABLED PERSONS

FOR the purpose of providing for a procedure for the issuance ESTABLISHMENT of reserved ~~parking-permits-to~~ SPACES FOR certain disabled persons.

By repealing and reordaining with amendments

Article 31-Transit and Traffic

Subtitle "Commissioner of the Dept. of Transportation"

Section 3 (b)

Baltimore City Code (1983 Replacement Volume, as amended)

By adding

Article 31 - Transit and Traffic

To come under the new subtitle "Reserved Parking for Disabled Persons"

Sections 157-159

Baltimore City Code (1983 Replacement Volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Section(s) of the Baltimore City Code (1983 Replacement Volume, as amended) be added, repealed, or amended to read as follows:

ARTICLE 31-TRANSIT AND TRAFFIC

Commissioner of Transit and Traffic

3. Other powers and restrictions.

(b) The Commissioner of [Transit and Traffic] TRANSPORTATION may establish by administrative regulation temporary parking and stopping restrictions, INCLUDING RESERVED PARKING FOR DISABLED PERSONS, and/or temporary one-way streets, to be fully effective as established for a period not to exceed six months. Such an administrative regulation may be made permanently effective by the Commissioner giving notice not less than 15 days prior to the expiration of the aforesaid six-month period to the President of the City Council and the Chairman of the [Traffic] HIGHWAYS AND FRANCHISES Committee of the City Council. Such notice shall include the administrative regulation

in question together with a statement that the Commissioner of [Transit and Traffic] TRANSPORTATION desires said regulation to become permanent. If no written objection to the administrative regulation is made by the President of the City Council or the Chairman of the [Traffic] HIGHWAYS AND FRANCHISES Committee and forwarded to the Commissioner of [Transit and Traffic] TRANSPORTATION the regulation shall cease to be temporary and become permanently effective at the end of the aforementioned six-month period. If such a written objection is received by the Commissioner of [Transit and Traffic] TRANSPORTATION an ordinance setting forth the provisions of the administrative regulation shall be introduced into the City Council and depending upon the passage or failure of the ordinance, the administrative regulation shall become permanently effective or be of no further force or effect. At any time after such an administrative regulation is issued, the Mayor and City Council may by ordinance direct the Commissioner of [Transit and Traffic] TRANSPORTATION to rescind the administrative regulation concerning any parking and stopping restrictions or one-way streets established by him in accordance with this section and at the time when such an ordinance shall become effective, the administrative regulation referred to shall be abrogated and be of no further force or effect. Nothing in this section shall be construed or applied to limit the right of the Mayor and City Council by ordinance to legislate on the subject matter[,] contained in Article 31 of the Baltimore City Code.

RESERVED PARKING FOR DISABLED PERSONS

157. CRITERIA FOR OBTAINING A RESERVED PARKING PERMIT SPACE.

A DISABLED PERSON MAY BE ELIGIBLE FOR A RESERVED PARKING SPACE IF THE PERSON MEETS THE FOLLOWING CRITERIA:

- (A) THE DISABILITY OF THE APPLICANT MUST BE PERMANENT;
- (B) THE APPLICANT MUST BE UNABLE TO USE PUBLIC TRANSPORTATION, LEAVING A PERSONAL VEHICLE AS THE ONLY MEANS OF TRANSPORTATION;
- (C) THE APPLICANT MUST BE THE SOLE OPERATOR OF THE VEHICLE; OR IF THE APPLICANT IS DEPENDENT UPON A NON-HANDICAPPED DRIVER FOR TRANSPORTATION, THE DRIVER MUST RESIDE IN THE SAME HOUSEHOLD;
- (D) PARKING SPACE MUST BE AVAILABLE THAT IS NOT RESTRICTED BY OTHER PARKING REGULATIONS;
- (E) OFF-STREET PARKING IS NOT AVAILABLE, SUCH AS A DRIVEWAY, GARAGE OR PARKING PAD, ON THE APPLICANT'S PROPERTY;
- ~~(F) IF THE APPLICANT IS UNDER 16 YEARS OF AGE AND IS DEPENDENT UPON A NON-HANDICAPPED DRIVER FOR TRANSPORTATION, THIS DRIVER MUST RESIDE IN THE SAME HOUSEHOLD;~~
- ~~(F)~~ (F) THE APPLICANT MUST SUBMIT WITH THE APPLICATION:
 - (1) A PHYSICIAN'S STATEMENT DESCRIBING THE NATURE OF THE DISABILITY AND ITS EFFECT ON THE

MOBILITY OF THE APPLICANT, DATED WITHIN THE PREVIOUS 6 MONTHS; AND

- (2) SIGNED STATEMENTS APPROVING THE DESIGNATION OF RESERVED PARKING FOR THE APPLICANT FROM THE 2 ABUTTING PROPERTY OWNERS AND THE SIGNATURES-OF FROM 4 ADDITIONAL PROPERTY OWNERS IN THE BLOCK. THIS PROVISION MAY BE WAIVED BY THE COMMISSIONER IF IT IS DETERMINED THAT THERE ARE NOT ENOUGH PROPERTIES IN THE BLOCK TO REQUIRE THE NECESSARY SIGNATURES.

158. PROCEDURE.

- (A) ANY PERSON DESIRING A RESERVED PARKING PERMIT SPACE AND MEETING THE CRITERIA OF SECTION 157 ABOVE, MAY SUBMIT AN APPLICATION FOR A RESERVED PARKING PERMIT TO THE COMMISSIONER OF THE DEPARTMENT OF TRANSPORTATION.
- (B) THE DEPARTMENT OF TRANSPORTATION SHALL REVIEW EACH APPLICATION. IF A DETERMINATION IS MADE THAT THE APPLICANT MEETS THE CRITERIA FOR A PERMIT SPACE, THEN A TEMPORARY PERMIT SHALL BE ISSUED AND AN ADMINISTRATIVE REGULATION DESCRIBING THE LOCATION OF THE RESERVED SPACE SHALL BE SUBMITTED TO THE CITY COUNCIL AND SHALL BE PROCESSED AS DESCRIBED IN SECTION 3(B) OF THIS ARTICLE.
- (C) IF THE DEPARTMENT OF TRANSPORTATION DETERMINES THAT THE APPLICANT DOES NOT MEET THE CRITERIA FOR A RESERVED PARKING SPACE, THE DEPENDENT DEPARTMENT SHALL SO NOTIFY THE APPLICANT AND INFORM THE APPLICANT THAT HE OR SHE HAS A RIGHT TO REQUEST A CITY COUNCIL BILL PROVIDING FOR A RESERVED PARKING SPACE IN WRITING STATING THE REASON FOR THE DENIAL OF SPACE.
- (D) IF THE DEPARTMENT DENIES THE PERMIT, THE APPLICANT MAY APPEAL THE DECISION TO THE COMMISSIONER. THE COMMISSIONER SHALL REVIEW THE CASE AND MAY, IN THE COMMISSIONER'S DISCRETION, REVERSE THE DENIAL AND GRANT A TEMPORARY PERMIT.

159. ADMINISTRATION.

- (A) THE PERMIT MUST BE CLEARLY DISPLAYED WHENEVER THE VEHICLE IS PARKED IN THE RESERVED PARKING SPACE.
- (B) THE HOLDER OF A RESERVED PARKING PERMIT OR THE HOLDER'S HEIRS SHALL NOTIFY THE DEPARTMENT OF TRANSPORTATION WHEN A RESERVED PARKING SPACE IS NO LONGER NEEDED.

- (C) A RESERVED PARKING PERMIT SHALL BE REVOKED IF:
- (1) FALSE STATEMENTS ARE MADE IN THE APPLICATION;
 - (2) THE PARKING PERMIT IS MISUSED; OR
 - (3) NEW PARKING REGULATIONS ARE IMPOSED WHICH PROHIBIT PARKING AT ANY TIME; OR
 - (4) THE CITY COUNCIL RESCINDS AN ADMINISTRATIVE REGULATION PURSUANT TO ARTICLE 31, SECTION 3 OF THE BALTIMORE CITY CODE; OR
 - (5) THE DISABLED PERSON DIES, MOVES FROM THE PREMISES, OR NO LONGER NEEDS THE SPACE.

- (D) RESERVED PARKING PERMITS MUST BE VALIDATED UPON THE EXPIRATION OF SIX MONTHS FROM THEIR DATE OF ISSUE AND RENEWED EACH YEAR IN THE MANNER AND FORM DETERMINED BY THE DEPARTMENT OF TRANSPORTATION.

~~(D)~~(E) THE DEPARTMENT OF TRANSPORTATION SHALL DEVELOP FORMS AND ISSUE RULES AND REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SUBTITLE.

Sec. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th day ~~after-the-date~~ of its enactment.

March 30, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 42

(Council No. 100)

AN ORDINANCE concerning

URBAN RENEWAL - IRVINGTON BUSINESS AREA - RENEWAL AREA
DESIGNATION AND URBAN RENEWAL PLAN

FOR the purpose of designating as a "Renewal Area" an area situate in Baltimore City, Maryland known as the Irvington Business Area, generally including both sides of Frederick Avenue between Monastery and Yale Avenues; approving a Renewal Plan for Irvington; authorizing the acquisition by purchase or by condemnation, for urban renewal purposes, of certain properties; providing for review by the Department of Housing and Community Development of all plans for new construction, rehabilitation, or change in use of properties within Irvington; establishing procedures for the issuance and denial of demolition permits; providing that in selling land in Irvington the Department of Housing and Community Development shall require that developers agree in writing not to discriminate in the sale, lease, use or occupancy of the property developed by them against any person because of national origin, race, religion, sex or color; establishing

rehabilitation standards for all non-residential uses in Irvington; providing penalties for violating these standards; establishing permitted land uses; approving certain regulations, controls, and restrictions applicable to land to be acquired by the City within Irvington; waiving such requirements, if any, as to content or procedure for the preparation, adoption and approval of Renewal Plans as set forth in Article 13 of the Baltimore City Code which the Renewal Plan for Irvington may not meet; providing for the separability of the various parts and applications of this Ordinance; providing that where the provisions of this Ordinance shall conflict with any other ordinance, code or regulation, the provision which establishes the higher standard shall prevail; and providing for the effective date hereof.

WHEREAS, The basic goal of the City of Baltimore for the Irvington Business Area is to revitalize the Irvington Business Area in order to create a unique neighborhood retail business district with enhanced viability, attractiveness, and convenience for residents of the surrounding community and of the City as a whole; and

WHEREAS, In accordance with the provisions of Article 13 of the Baltimore City Code (1983 Replacement Volume, as amended), the Irvington Business Area has been found to be in need of undertakings and activities for the elimination, the correction, or the prevention of the development or the spread of slums, blight, or deterioration; and

WHEREAS, The Commissioner of the Department of Housing and Community Development, after consultation with the Director of the Department of Planning, acting pursuant to powers vested by Section 23(a) of Article 13 of the Baltimore City Code (1983 Replacement Volume, as amended), has heretofore determined that the Irvington Business Area, as hereinbelow more particularly described, may be benefited through the exercise of those functions and powers of the City of Baltimore which are vested in the Department of Housing and Community Development by said Article 13, and has recommended to the City Council that an ordinance be passed to designate the Irvington Business Area as a "Renewal Area"; and

WHEREAS, Under Article 13 of the Baltimore City Code (1983 Replacement Volume, as amended), the Department of Housing and Community Development is authorized to prepare and administer renewal plans in renewal areas; and

WHEREAS, The Department of Housing and Community Development has prepared a Renewal Plan for Irvington, consisting of a cover page, a table of contents, sixteen (16) pages of text, and two (2) exhibits; and

WHEREAS, The Renewal Plan for Irvington was approved by the Director of the Department of Planning with respect to its

conformity as to the Master Plan, the detailed location of any public improvements proposed in the Renewal Plan, its conformity to the rules and regulations for the subdivisions, and all zoning changes proposed in said Plan; and the Renewal Plan was approved and recommended to the Mayor and City Council of Baltimore by the Commissioner of the Department of Housing and Community Development; now, therefore,

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That it is hereby found and determined that the area known as Irvington, as hereinbelow more particularly described, may be benefited through the exercise of the functions and powers vested in the Department of Housing and Community Development:

Beginning for the same at the intersection of the south side of Frederick Avenue and the east side of South Loudon Avenue, thence binding on the east side of South Loudon Avenue southerly to intersect an extended line of the south side of Stafford Street; thence binding on said extended line and the south side of Stafford Street westerly to intersect an extended line of the west side of an unnamed 13 foot alley; thence binding on said extended line and west side of said alley northerly to intersect the south side of the first 12 foot alley; thence binding on the south side of said alley westerly to intersect the west side of South Augusta Avenue; thence binding on the west side of South Augusta Avenue northerly to intersect the north property line of Lot 7, Block 2535-36; thence binding on said property line westerly to intersect the east side of the second 12 foot alley; thence binding on the east side of said alley southerly to intersect an extended line of the south side of the third 12 foot alley; thence binding on said extended line, the south side of said alley and continuing in a straight line westerly to intersect the west side of Yale Avenue; thence binding on the west side of Yale Avenue and continuing in a straight line northerly to intersect the north side of Frederick Avenue; thence binding on the north side of Frederick Avenue easterly to intersect the west side of the first 15 foot alley; thence binding on the west side of said alley northerly to intersect an extended line of the north property line of Lot 4, Block 2545; thence binding on said extended line, said property line and continuing in a straight line easterly to intersect the east side of South Augusta Avenue; thence binding on the east side of South Augusta Avenue northerly to intersect the north property line of Lot 43, Block 2542; thence binding on said property line and continuing in a straight line easterly to intersect the east side of an unnamed 20 foot alley; thence binding on the east side of said alley southerly to intersect the north side of an unnamed 10 foot alley; thence binding on the north side of said unnamed alley easterly to intersect the west side of South Collins Avenue; thence binding on the west side of South Collins Avenue northerly to intersect the north side of Massachusetts Avenue; thence binding on the north side of

Massachusetts Avenue easterly to intersect the east side of Irving Street; thence binding on the east side of Irving Street southerly to intersect the north property line of Lot 26, Block 2539; thence binding on said property line easterly to intersect the west side of South Loudon Avenue; thence binding on the west side of Loudon Avenue northerly to intersect an extended line of the north side of the second 15 foot alley; thence binding on said extended line, the north side of said alley and continuing in a straight gline easterly to intersect the east side of South Monastery Avenue; thence binding on the east side of South Monastery Avenue southerly to intersect the south side of Frederick Road; thence binding on the south side of Frederick Avenue westerly to the point of beginning.

SEC. 2. AND BE IT FURTHER ORDAINED, That the Urban Renewal Plan, identified as "Urban Renewal Plan Irvington Business Area" dated January 14, 1988, is hereby approved and the Clerk of the City Council is hereby directed to file a copy of said Renewal Plan with the Department of Legislative Reference as a permanent public record and to make the same available for public inspection and information.

SEC. 3. AND BE IT FURTHER ORDAINED, That it may be necessary to acquire by purchase or by condemnation, for urban renewal purposes, the fee simple interest or any lesser interest in and to such properties or portions thereof together with all right, title, interest, and estate that the owner or owners of said property interest may have in all streets, alleys, ways, or lanes, public or private, both abutting the whole area described and/or contained within the perimeter of said area, as may be deemed necessary and proper by the Commissioner of the Department of Housing and Community Development to effect the proper implementation of the project. These properties may include:

(a) any property in the project area containing a non-salvable structure, i.e. a structure which in the opinion of the Commissioner of the Department of Housing and Community Development cannot be economically rehabilitated;

(b) any property the owner of which is unable or unwilling to comply or conform to the codes and ordinance of Baltimore City and the Property Rehabilitation Standards set forth in the Urban Renewal Plan within 24 months from the date of written notice of the required improvements. The Department of Housing and Community Development, after due consideration that the property owner has failed to achieve substantial conformity with the codes and ordinances of Baltimore City, may acquire such property pursuant to the Eminent Domain Law of this State as if the property had originally been planned for acquisition after 90 days written notice to the owner. The Department of Housing and Community Development reserves the right to acquire any such non-complying property for a period of two (2) years from the date of said written 90 days notice by the Department of Housing and Community Development.

SEC. 4. AND BE IT FURTHER ORDAINED, That upon acquisition of the properties mentioned in Section 3 of this Ordinance, the Department of Housing and Community Development will either:

(a) demolish the structure thereon and dispose of the land for redevelopment for uses in accordance with the Urban Renewal Plan; or

(b) sell or lease the property subject to rehabilitation in conformance with the codes and ordinances of Baltimore City and the Property Rehabilitation Standards set forth in the Urban Renewal Plan; or

(c) rehabilitate the property in conformance with the codes and ordinances of Baltimore City and the Property Rehabilitation Standards set forth in the Urban Renewal Plan and dispose of the property in accordance with the applicable regulations. If sale cannot be consummated by the time rehabilitation is accomplished, the property may be rented pending continuing sale efforts.

SEC. 5. AND BE IT FURTHER ORDAINED, That the Real Estate Acquisition Division of the Department of the Comptroller, or such person or persons and in such manner as the Board of Estimates, in the exercise of the power vested in it by Article V, Section 5, of the Baltimore City Charter, may hereafter from time to time designate, is or are authorized to acquire on behalf of the Mayor and City Council of Baltimore and for the purposes described in this Ordinance, the fee simple interest or any lesser interest in and to the properties or portions thereof hereinabove mentioned. If the said Division, person or persons is or are unable to agree with the owner or owners on the purchase price for said properties or portions thereof, it or they shall forthwith notify the City Solicitor of Baltimore City, who shall thereupon institute in the name of the Mayor and City Council of Baltimore the necessary legal proceedings to acquire by condemnation the fee simple interest or any lesser interest in and to said properties or portions thereof.

SEC. 6. AND BE IT FURTHER ORDAINED, That all plans for new construction (including parking lots), rehabilitation, or change in use of any property not to be acquired under the provisions of the Urban Renewal Plan shall be submitted to the Department of Housing and Community Development for review. Only upon finding that the proposed plans are consistent with the objectives of the Urban Renewal Plan shall the Commissioner of the Department of Housing and Community Development authorize the processing of the plans for issuance of a building permit. The provisions of this section are in addition to and not in lieu of all other applicable laws and ordinances relating to new construction.

SEC. 7. AND BE IT FURTHER ORDAINED, That all applications for demolition permits shall be submitted to the Department of Housing and Community Development for review and approval. Upon finding that the proposed demolition is consistent with the objectives of the Urban Renewal Plan, the Commissioner of the

Department of Housing and Community Development shall authorize the issuance of the necessary permit. If the Commissioner finds that the proposal is inconsistent with the objectives of the Urban Renewal Plan and therefore denies the issuance of the permit, he shall, within 90 days of such denial, seek approval of the Board of Estimates to acquire for and on behalf of the Mayor and City Council of Baltimore the property, in whole or in part, on which said demolition was to have occurred by purchase, lease, condemnation, gift or other legal means for the renovation, rehabilitation and disposition thereof. In the event that the Board of Estimates does not authorize the acquisition, the Commissioner shall, without delay, issue the demolition permit.

SEC. 8. AND BE IT FURTHER ORDAINED, That in selling or otherwise disposing of property in the Irvington Business Area, the Department of Housing and Community Development shall require that developers agree in writing not to discriminate in the sale, lease, use or occupancy of the property developed by them against any person because of race, religion, color, sex or national origin.

SEC. 9. AND BE IT FURTHER ORDAINED, That in addition to the standards for properties outlined in the codes and ordinances of the City of Baltimore, the following additional standards shall be applied to all non-residential uses within the Irvington Business Area:

a. Windows.

(1) Windows not in the front of the building shall be kept properly repaired or, with Fire Department approval, may be closed, in which case sills, lintels and frames must be removed and the opening properly closed to match the material, design and finish of the adjacent wall.

(2) All windows must be tight-fitting and have sashes of proper size and design. Sashes with rotten wood, broken joints or loose mullions or muntins shall be replaced. All broken and missing windows and glass blocks shall be replaced with glass or approved plastic glazing. All exposed wood shall be repaired and painted.

(3) Window openings in the front of the building shall not be filled, boarded up, or covered by any flat or projecting signs. Windows in unused areas of the upper floors may be backed by a solid dark colored surface on the inside of the glass. Window panes shall not be painted.

(4) Shutters of the proper size (same height as window and one-half the width) may be

provided on windows above the first floor level on the front of the buildings. They shall be constructed of wood and affixed on the wall by either a metal latch or be held permanently open (fastened to the wall). The use of shutters shall be approved prior to installation by the Department of Housing and Community Development, and shall not be allowed in case where shutters would be inharmonious with the design of the building.

b. Building Fronts and Sides Abutting Streets.

(1) All defective structural and decorative elements of building fronts and sides abutting streets shall be repaired or replaced in a workmanlike manner to match as closely as possible the original materials and construction of that building. All damaged, sagging or otherwise deteriorated storefronts, show windows or entrances shall be repaired or replaced.

(2) All cornices, upper story windows and all other portions of a building containing wood trim shall be made structurally sound. Rotten or weakened portions shall be removed and repaired or replaced to match as closely as possible the original patterns. All exposed wood shall be painted or stained, or otherwise treated for protection.

(3) A storefront as part of the building facade shall be defined to include:

(a) the building face and the entrance area leading to the door;

(b) the door, sidelights, transoms, show windows, display platforms, devices (including lighting and signing) designed to be viewed from the public right-of-way and/or the areas visible to the public prior to entering the interior portion of the structure.

(4) Existing show windows, entrances, signs, lighting, sun protection, security grilles, etc., shall be compatible, harmonious and consistent with the scale and character of the structure. All show window elements must be located within 13 feet of the grade on buildings proposed for construction or substantial rehabilitation subsequent to the

effective date of this Plan.

(5) Storefronts on single story buildings shall be designed for the full heights to the cornice unless existing traditional architectural elements are present, in which case the new construction shall be harmonious with those elements. Cornice lines shall be maintained.

(6) Adjoining buildings used by the same occupant shall be rehabilitated in a unified and harmonious manner. Each building shall be rehabilitated and repaired with materials and in a manner consistent with the original construction techniques where feasible.

(7) Enclosures and housing for security grilles and screens shall be as inconspicuous as possible and compatible with other elements of the facade.

(8) All exposed portions of the grille, screen or enclosure which are normally painted and all portions which require painting to preserve, protect or renovate the surface shall be painted. Non-metal grilles and screens shall be prohibited.

(9) All screens and grilles protecting entrances and show windows must be constructed so they can be opened or removed. Such screens and grilles shall be opened or removed during the normal business hours of that business. All new security grilles shall be mesh type rather than solid.

(10) The total area of any temporary or permanent sign or signs affixed or placed against the inside surface of a show window shall not exceed 20% of the area of that show window.

(11) Decalcomanias one square foot or less in area may be affixed to show windows or entrance door windows.

(12) No new solid or permanently enclosed or covered storefronts shall be permitted.

(13) Awnings.

(a) Soft (vinyl or canvas) awnings may be provided for storefront windows. Fixed soft awnings may be allowed at the discretion of the

Commissioner where they would not impede the public right-of-way.

(b) They must be flameproofed.

(c) They shall not project more than seven (7) feet from the building front and shall otherwise conform with the provisions of City Ordinances.

(d) They shall terminate against the building at a height not to exceed thirteen (13) feet above the pavement, or one inch below the second floor window sill, whichever is lower.

(e) New rigid (aluminum, fiberglass) awnings, sun screens or permanent canopies are not permitted on any portion of the building front.

(f) Soft awnings may also be provided on upper floors over windows only.

(14) All exterior front walls shall be repaired and cleaned or painted in a workmanlike manner. Brick walls shall be painted where necessary. Painted walls shall be scraped and repainted a single color except for trim which may be another color. Patched walls shall match the existing adjacent surfaces as to materials, color, bond and joining. Cleaning of masonry surfaces by means of sandblasting shall not be permitted except where it is determined by the Commissioner of the Department of Housing and Community Development to be the only feasible means of surface cleaning of masonry and where, in the Commissioner's opinion, it will not cause damage to historic building materials.

(15) Materials used on building fronts shall be consistent with the character of other buildings in the Business Area as well as existing materials on the building itself. Other factors such as durability, ease of maintenance and historical accuracy of materials shall be considered in choosing facing materials. Formstone, simulated wood shakes, pebble-faced plywood, or any other material not approved by the Commissioner, shall not be permitted for any future use.

Aluminum or vinyl siding, wood clapboards or wood shakes, while appropriate on frame structure, shall not be permitted for any future use on masonry buildings.

(16) The restrictions and suggestions previously listed for front walls also apply to storefronts. Thus, aluminum and vinyl siding shall not be permitted for future installation on storefronts. Wood shakes or wood clapboards shall not be permitted for future installation on storefronts unless the entire building is to be covered in the same material. Existing corrugated metal facing shall be cleaned or painted an approved color. Corrugated metal facing may be used in the future provided it has a permanently bonded finish in an approved color.

(17) Dormer windows on roofs sloping toward the shopping street shall be treated in accordance with the same criteria as building fronts.

(18) Existing miscellaneous elements on the building fronts, such as empty electrical or other conduits, unused sign brackets, etc., shall be eliminated.

(19) Sheet metal gutters and downspouts shall be repaired or replaced as necessary and shall be neatly located and securely installed. Gutters and downspouts shall be painted to harmonize with the other building front colors.

(20) No new mechanical equipment shall be allowed to project through building fronts.

(21) No dumpsters or rubbish containers shall be exposed at the fronts of buildings except those specifically designed and intended for public use.

(22) Existing formstone may be painted.

c. Rear and Side Walls.

(1) Rear and side walls shall be repaired and painted to present a neat and fresh appearance. Rear walls shall be painted to cover evenly all miscellaneous patched and filled areas or be stuccoed or otherwise surfaced to present an even and uniform surface.

(2) Side walls, where visible from any of the streets, shall be finished or painted so as to harmonize with the front of the building.

d. Roofs.

(1) Chimneys, elevator penthouses or any other auxiliary structures on the roofs shall be repaired and cleaned as required for rear and side walls. Any construction visible from the street or from other

buildings shall be finished so as to be harmonious with other visible building walls.

(2) Any new mechanical equipment placed on a roof shall be so located as to be hidden from view from the shopping streets, and to be as inconspicuous as possible from other viewpoints. New equipment shall be screened with suitable elements of a permanent nature, finished so as to harmonize with the rest of the buildings. Where such screening is unfeasible, equipment shall be installed in a neat, presentable manner, and shall be painted in such a manner as to minimize its visibility.

(3) Television and radio antennae shall be located so as to be as inconspicuous as possible.

(4) Roofs shall be kept free of trash, debris, or any other element which is not a permanent part of the building or a functioning element of its mechanical or electrical system.

e. Signs.

The intention of the following regulations is to promote a harmonious appearance of the business area by creating a continuous sign band and reducing sign clutter.

(1) Existing signs may remain, provided they conform to this plan. Signs that do not conform to this plan must be removed.

(2) All flat signs shall be attached to and placed parallel to the building face and shall not project more than 12" from the surface of the building and shall not exceed in area three times the width in feet of the facade of the building. Signs on the sides of buildings shall be calculated separately at the same rate, except that no side sign may be larger than the front sign for the same building. The top edge of flat signs must be below the second floor window sills or 13 feet above grade level, whichever is lower. The bottom edge of the sign must be 10 feet above grade level. Where the sign cannot be placed within these limits, an alternative placement may be approved by the Department of Housing and Community Development.

(3) The primary sign for a shop may be painted or be applied directly to the show window where no other sign is being used on the front of the building.

(4) Signs shall be permitted at rear entrance doors but shall not exceed 6 square feet in size, except where authorized by the Department of Housing and Community

Development.

(5) Existing freestanding signs (pole signs, planter signs) shall be permitted provided that such signs not exceed 24 feet in height and 80 square feet in area (total of both faces). New freestanding signs are permitted only if they include a planter or landscaping, do not exceed 16 feet in height and 48 square feet in area (total area of both faces). Freestanding signs shall not project into the public right-of-way. Freestanding signs are permitted only on sites where buildings are set back from their property line, subject to the approval of the Commissioner. Only one freestanding sign is permitted per property as described above.

(6) No new overhanging signs will be allowed. Existing overhanging signs will be allowed. Existing overhanging signs may remain, provided they are maintained in good condition. If the use in the building changes, the overhanging sign must be removed.

(7) Painted signs on building surfaces or use of separate cutout letters shall be permitted in accordance with the above limits for flat signs.

(8) Non-illuminated secondary flat signs shall be permitted only for businesses located on upper floors. Such signs shall not exceed 2 square feet in area and shall not project more than 1 inch beyond the surface of the buildings, nor shall they be placed higher than 13 feet above grade level.

(9) All unused existing rooftop and facade mounted sign brackets and hardware shall be removed. All remaining brackets shall be scraped and painted in a color to make them as inconspicuous as possible.

(10) Marquees shall not be allowed on buildings other than existing operating theaters or ballrooms.

(11) Painted or inlaid signs on cloth awnings are permitted.

(12) Flashing or moving signs other than barber poles shall not be permitted.

(13) All signs not conforming to the above regulations shall be removed within 6 months from the date of enactment to this Plan. Future minor privilege permits for signs shall be issued only for those signs meeting project design criteria.

(14) No private signs shall be permitted except as herein provided or as otherwise authorized by the

Department of Housing and Community Development for temporary purposes not exceeding 30 days.

(15) Each store is required to display a postal address number on the storefront. Number size, style, location and design shall be approved by the Commissioner.

(16) All signs must be properly maintained. Scaling paint, missing or unlit letters, broken, faded or cracked signs must be repaired or replaced or the entire sign must be removed.

(17) Roof top signs are not to be permitted.

(18) Billboards shall be exempt from the provisions of this subsection e.

f. Lighting for Fronts and Sides.

(1) The following lighting methods are not permitted:

- (a) Exposed fluorescent lighting.
- (b) Exposed quartz or mercury vapor lamps.
- (c) Exposed incandescent lamps other than low wattage, purely decorative lighting.

(2) The following lighting methods are permitted:

- (a) Fully recessed downlights or wallwashers in projecting metal box. Box must run full length of storefront at top of sign area.
- (b) Shielded fluorescent lamps with diffusers in projecting metal box. Box must run full length of storefront at top of sign zone.
- (c) "Gooseneck incandescent", porcelain enamel reflector on bent metal tube arm. Housing to prevent glare at pedestrian eyeline.
- (d) Internally illuminated signs or back-lit (halo) letters.

(3) All lighting and electrical elements such as wires, conduits, junction boxes, transformers, ballasts, switches and panel boxes shall be concealed from view as much as possible.

g. Footways.

Footways adjacent to all properties within the area boundaries shall be maintained in a manner consistent with applicable Baltimore City Codes. In addition, when required, footways shall be repaired or replaced to present a neat and even appearance and in a manner that is compatible with the materials, design and finish of adjacent footways surfaces.

h. Off-Street Parking Requirements.

(1) Parking spaces shall be provided on all lots as established in the Zoning Ordinance of Baltimore City, or in such lesser amount as may be authorized by the Board of Municipal and Zoning Appeals as a Special Exception or Variance. In addition to these requirements, off-street parking areas shall be visually screened from public streets and adjacent properties.

(2) All required parking spaces shall be provided with the proper ingress and egress to a public street or alley by means of access drives and aisles.

(3) All parking facilities, accessory parking areas, and gas stations shall be effectively screened. Screening shall consist of a masonry wall or durable fence, or combination thereof, not less than 2 1/2 in height; in lieu of such wall or fence a compact evergreen hedge of not less than 2 1/2 feet in height at times of original planting may be used. Screening and landscaping shall be maintained in good condition and shall be so designed and placed so as not to obstruct vehicle sight distances at entrances and exits. The design of the lot screening shall be approved by the Department of Housing and Community Development.

(4) All exterior (surface) parking areas shall be paved with a hard, dust-free surface, and shall be properly illuminated, and maintained in a neat and clean manner. Lighting shall not shine directly in the windows of adjacent residential buildings.

(5) A sign not exceeding 6 square feet may be used to identify and control parking and loading.

i. Off-street Loading, Storage and Service.

(1) Where permitted by the Zoning Ordinance of Baltimore City, front, side or rear yards may be used for loading, storage or service. In addition to any requirements of the Zoning Ordinance, these areas shall be appropriately screened/landscaped from all adjacent streets and properties. Appropriate screening/landscaping shall include, but is not necessarily limited to, solid and perforated masonry walls at least 5 feet, 6 inches in height, solid fences and trees, and shrubs planted at appropriate intervals or a combination of these.

(2) All yards used for loading and vehicle storage and service shall be provided with the proper ingress and egress to a public street or alley by means of access

drives and aisles. Such drives and aisles shall be consistent with the intended uses of the property and shall not be excessive in size.

(3) All outside storage of vehicles shall be restricted to three per service bay.

(4) No storage of trash containers shall be allowed except when housed in or screened by permanent structures of acceptable design. Trash storage areas shall be maintained in a neat and clean manner at all times.

(5) Service areas shall be properly illuminated as in off-street parking areas.

j. Yards.

(1) A yard may be enclosed along property lines by an appropriate wall/landscaping, consistent and harmonious in design with the walls of the building. Solid doors or solid gates may be used to the extent necessary for access and delivery. Such walls/landscaping shall not be less than 5 feet nor more than 6 feet in height. Use of barbed wire or broken glass on top of walls shall not be permitted. Structures at the rears of buildings attached or unattached to the principal commercial structure which are structurally deficient, shall be properly repaired or demolished. All yards adjacent to residential property must be screened in a manner consistent with the allowed screening methods covered elsewhere in this Plan under Off-Street Loading, Storage and Service.

(2) Yards shall be properly illuminated as in off-street parking areas.

k. Period of Compliance.

To the extent that rehabilitation requirements for commercial uses are specifically applicable to the Irvington Business Area and are not generally required elsewhere, the work necessary to meet such requirements shall be completed within 6 months from the effective date of this Plan, unless specifically outlined elsewhere in this Plan. No work, alterations or improvements shall be undertaken after enactment of this Plan which do not conform with the requirements herein.

Nothing herein shall be construed to permit any sign, construction, alteration, change, repair, use or any other matter otherwise forbidden or restricted or controlled by any other public law.

1. Design Review and Approval.

(1) It shall be the responsibility of the Department of Housing and Community Development to supervise that part of this Renewal Plan dealing with design, code enforcement and inspection.

(2) Designs for all improvements, modifications, repairs, rehabilitation or painting affecting the exterior of the existing building, yards or show windows, signs, and new construction shall be submitted to the Department of Housing and Community Development and written approval by the Department shall be required before proceeding with the work.

(3) The Department of Housing and Community Development shall be concerned with all aspects of design affecting exterior appearance, and in particular with the following:

- (a) Colors to be used on buildings and signs.
- (b) Design of show windows and entrance area, including choice of materials and types of security devices.
- (c) Design of signs, methods of illumination, colors, materials, methods of suspension.
- (d) Conditioning of rear yard spaces, location of delivery signs.
- (e) All exterior materials and colors.
- (f) Design of awnings, shutters and upper floor windows.
- (g) Compatibility of new construction as to scale, color, materials and signing.

SEC. 10. AND BE IT FURTHER ORDAINED, That any person violating the provisions contained in Section 9 of this Ordinance shall be subject to a fine not exceeding \$100 and that each day's violation shall constitute a separate offense.

SEC. 11. AND BE IT FURTHER ORDAINED, That only the land uses contained in Section B.2.a. of the Urban Renewal Plan and shown on the Land Use Plan, Exhibit 1, dated January 14, 1988, shall be permitted within Irvington.

SEC. 12. AND BE IT FURTHER ORDAINED, That the regulations, controls, and restrictions applicable to land to be acquired by the City as stated in Section B.2.c. of the Urban Renewal Plan are hereby approved.

SEC. 13. AND BE IT FURTHER ORDAINED, That in whatever respect, if any, the said Renewal Plan approved hereby may not meet the requirements as to the content of a renewal plan or the procedures for the preparation, adoption, and approval of renewal plans, as provided in Article 13 of the Baltimore City Code (1983 Replacement Volume), the said requirements are hereby waived and

the Renewal Plan approved hereby is exempted therefrom.

SEC. 14. AND BE IT FURTHER ORDAINED, That in the event it be judicially determined that any word, phrase, clause, sentence, paragraph, section or part in or of this Ordinance or the application thereof to any person or circumstances is invalid, the remaining provisions and the application of such provisions to other persons or circumstances shall not be affected thereby, the Mayor and City Council hereby declaring that they would have ordained the remaining provisions of this Ordinance without the word, phrase, clause, sentence, paragraph, section or part or the application thereof so held invalid.

SEC. 15. AND BE IT FURTHER ORDAINED, That in any case where a provision of this Ordinance concerns the same subject matter as an existing provision of any urban renewal, zoning, building, electrical, plumbing, health, fire or safety ordinance or code or regulation, the applicable provisions concerned shall be construed so as to give effect to each; provided, however, that if such provisions are found to be in irreconcilable conflict, the provision which establishes the higher standard for the promotion of the public health and safety shall prevail. In any case where a provision of this Ordinance is found to be in conflict with an existing provision of any other ordinance or code or regulation in force in the City of Baltimore which establishes a lower standard for the promotion and protection of the public health and safety, the provision of this Ordinance shall prevail, and the other existing provision of such other ordinance or code or regulation is hereby repealed to the extent that it may be found in conflict with this Ordinance.

SEC. 16. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect on the date of its enactment.

April 14, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 43

(Council No. 102)

AN ORDINANCE concerning

RESERVED PARKING ON

ELISON AVENUE

For the purpose of providing for reserved parking on the north side of Elison Avenue for Americus DiMarino.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That parking is reserved on the north side of Elison Avenue, from a point 485' west of Bowleys Lane to a point 507' west of Bowleys Lane, for Americus DiMarino, displaying a permit.

Ord. No. 43A

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

April 14, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 43A

(Council No. 129)

AN ORDINANCE concerning

RESERVED PARKING ON

CLAY STREET

For the purpose of providing for reserved parking on the south side of Clay Street near Howard Street for the State Department of Assessments for Baltimore City.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That on the south side of Clay Street, from Howard Street to a point 58' east of Howard Street, parking is reserved for the State Department of Assessments for Baltimore City, displaying a permit.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

April 14, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 44

(Council No. 130)

AN ORDINANCE concerning

REPEAL OF RESERVED PARKING ORDINANCE

FOR the purpose of repealing Ordinance No. 913, approved April 10, 1987, which provided for reserved parking on the south side of Hamilton Street for the Secretary of Licensing and Regulation.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Ordinance No. 913, approved April 10, 1987, is hereby repealed and the authorization for reserved parking on the south side of Hamilton Street therein provided, is hereby rescinded.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

April 14, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 45

(Council No. 131)

AN ORDINANCE concerning

REPEAL OF RESERVED PARKING ON

STAMFORD ROAD

For the purpose of repealing Ordinance No. 897, approved March 27, 1987, which provided for reserved parking on the east side of Stamford Road for Carole S. Downing.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Ordinance No. 897, approved March 27, 1987, is hereby repealed and the authorization for reserved parking on the east side of Stamford Road near Baltimore National Pike therein provided, is hereby rescinded.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

April 14, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 46

(Council No. 159)

AN ORDINANCE concerning

BUILDING CODE - CORRECTIVE BILL

FOR the purpose of correcting and curing certain errors and omissions in Ordinance 1177 approved December 7, 1987, the Building Code of Baltimore City, prior to publication.

By repealing and reordaining with amendments
Ordinance 1177 of the Mayor and City Council of Baltimore,
approved December 7, 1987

The Title, Function Paragraph, and Section 13

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL, That the title of Ordinance 1177, approved December 7, 1987 be and it is hereby amended as follows:

For the purpose of adopting with certain amendments, deletions, and additions, the BOCA National Building Code, 10th Edition, 1987; the BOCA National Mechanical Code, 6th Edition, 1987; the CABO Model Energy Code, 1986 Edition; THE NATIONAL STANDARD PLUMBING CODE, 1987 EDITION, AS PUBLISHED BY THE NATIONAL ASSOCIATION OF PLUMBING-HEATING-COOLING CONTRACTORS; and the Baltimore City Building Code, 1987 Edition, as amended, all as Article 32 of the Baltimore City Code to be known as the Building Code of Baltimore City; recodifying the 1985 Edition of the Baltimore City Building Code as the 1987 Edition of the Baltimore City Building Code; incorporating by reference into this ordinance the Baltimore City Building Code, 1987 Edition, as amended, revised, recodified, and published by certain City agencies; authorizing the Director of the Department of Legislative Reference to make corrections and renumber section headings, section, subsection and article references to conform to the numbering system in the BOCA Code books and make certain other technical changes; providing for the effect, construction and effective date of this Ordinance; repealing the previous Baltimore City Building Code subject to certain conditions; and generally relating to the adoption and revision of the Building Code of Baltimore City.

SEC. 2. AND BE IT FURTHER ORDAINED, That the function paragraph of Ordinance 1177, approved December 7, 1987 be and it is hereby amended as follows:

BY adopting

The Baltimore City Building Code consisting of:
the BOCA National Building Code, 10th Edition,
1987;
the BOCA National Mechanical Code, 6th Edition,
1987;
the CABO Model Energy Code, 1986 Edition; [and]
THE NATIONAL STANDARD PLUMBING CODE, 1987 EDITION;
AND
the Baltimore City Building Code, 1987 Edition.

SEC. 3. AND BE IT FURTHER ORDAINED, That Section 13 of Ordinance 1177, approved December 7, 1987 be and it is hereby amended as follows:

SEC. 13. AND BE IT FURTHER ORDAINED, That the following sections in the Baltimore City Building Code, 1987 Edition, are hereby amended as follows:

110.1 General: The building official shall administer, interpret, and enforce all the provisions of this code and the provisions of all other ordinances, laws, or regulations relating to the matters provided for in this code, and shall act on any question relative to the manner of and the materials to be used in the construction, addition to, alteration, repair, rehabilitation, razing, moving, installation of service equipment, and the location, use, occupancy, and maintenance of all buildings and structures, except as otherwise specifically

provided by law.

Whenever any land, building, structure, or other object, or any part thereof, including any and all equipment contained therein, becomes, or is about to become, dangerous, unsafe, or a menace to public health and safety, the building official is hereby authorized and empowered to condemn it and/or to take any appropriate action to rectify or eliminate such dangerous or unsafe condition.

The building official may institute or cause to be instituted at any time any and all legal, equitable, or criminal actions (hereinafter referred to as "legal proceedings") which may be appropriate to enforce the provisions of this code or the provisions of other ordinances, laws, or regulations relating to matters provided for in this code. Nothing contained in this code shall prevent the building official from instituting or causing to be instituted or fully prosecuting any and all legal proceedings which may be appropriate to compel compliance with this code or other ordinances, laws, or regulations relating to matters provided for in this code, even though criminal proceedings may be pending or may have been completed.

111.1 When permit is required: A permit issued by the building official is required before any person may construct, alter, add to, rehabilitate, raze, or move a building or structure, or change the use of any building, structure, or land, or install or alter any equipment for which provision is made or the installation of which is regulated by this code, or perform any grading or excavating; except that ordinary repairs, which do not involve any violation of this code, shall be exempt from this provision. In case of razing or moving a building or structure without a permit, a violation notice pursuant to Section 117.0 shall not be required prior to enforcement of this section by any appropriate legal proceeding, and penalties will be assessed pursuant to Section 117.4.

No permit involving grading, excavation, or other movement of earth shall be issued until a grading and sediment control plan has been submitted to and approved by the Commissioner of Transportation and the developer has certified that all land clearing, construction, and development will be done pursuant to said plan.

Before any grading or excavating work or operation is started on private property which requires the hauling of excavated material over a sidewalk, a permit shall be first secured from the Commissioner of Transportation to use such sidewalk.

A license permit shall be required to use any land, building, or other structure as a theater, opera house, moving picture theater, dance hall, skating rink, auditorium, assembly hall, music hall, arena stadium, or for any other use as a place of public assembly, or for any other use for which a license must be secured in accordance with the laws of the City or the State of Maryland.

114.4.1 Permit fees for construction work:

9. Erection, placing, hanging, or reconstruction of signs:

0--10 square feet	\$10
11--50 square feet	\$20
51--200 square feet	\$40
201--500 square feet	\$100
Over 500 square feet	\$150

The above rates are based on the gross square feet area of the sign face or faces. No fee shall be charged for signs less than 100 square feet used exclusively for advertising the property on which they are posted as for sale or for rent.

The fee for repairing, painting, and rehangng any sign in the same place shall be \$10 for each sign.

114.4.5 Fees for special license permits: Fees for special license permits on premises where no annual license permit has been issued shall be charged at the following rates:

Fee for each 10,000 square feet or fraction thereof		
Purpose	One Day	One Week
Bazaars	\$10	\$30
Carnivals	\$20	\$60
Cinema shows	\$10	\$30
Circuses	\$40	\$120
Dances	\$15	\$45
Displays	\$10	\$30
Exhibitions	\$10	\$30
Fairs	\$20	\$60
Lectures	\$10	\$30
Plays	\$10	\$30
Rummage Sales	\$10	\$30
Sporting events	\$20	\$60
Suppers	\$10	\$30
Other assemblies	\$10	\$30
Amusement Devices	\$15 each	
Peep show devices	\$100 each	

Where the net proceeds from any of the aforementioned purposes, except amusement devices, are to be used for a charitable or religious organization, the fee shall be reduced 50 percent.

117.3 Enforcement: If the violation of the provisions of this code is not promptly discontinued or abated, or if the notice of violation is not complied with promptly, the building official is hereby authorized to institute or cause to be instituted any appropriate legal proceedings, including a proceeding for appointment of a receiver, to restrain, correct, or abate such violation, or to require the removal or termination of the unlawful use of the building or structure in violation of the

provisions of this code or of the order or directive made pursuant thereto, or to impose penalties to punish and deter noncompliance. In case of an emergency or a pattern and practice of noncompliance, such legal proceeding may be instituted without the issuance of prior notice; provided, however, that no criminal action, except citation proceedings when authorized by ordinance, shall be instituted by the building official against any person for any alleged violation of this code until the building official has given the alleged offender notice as provided in this code and allowed such person a reasonable time to correct such violation.

A person is under a continuing obligation to abate a violation notice, and if a condition in violation of this code continues unabated following criminal prosecution no new violation notice shall be required before subsequent prosecution. Choice of any one action shall not preclude the building official from pursuing any other action.

For the purposes of this code, the term "legal proceedings" shall mean any and all court actions at law (civil and criminal) and in equity.

120.2 Requirements for unoccupied buildings: Any unoccupied building or portion thereof shall be properly safeguarded as follows:

3. No building shall remain vacant, unsafe, and unfit for human habitation or other authorized use, whether or not boarded, for a period longer than 90 days. Within said 90 day period, the owner or agent or other person responsible shall either rehabilitate the building so that it complies with all applicable codes and ordinances and is therefore fit for human habitation or other authorized use, or raze and remove it.

120.3 Remedial action by the building official: When the owner, agent, or person in control cannot be found or fails to comply with a notice to repair, rehabilitate or raze, or to board up an unsafe, vacant building unfit for human habitation or other authorized use, or to remove high grass and weeds or trash and debris from the premises, the building official, after-giving having given notice as required by this code, may proceed to condemn the building, or have a receiver appointed, and/or complete all or any part of the required work through officers, agents, employees, or contractors. Liability for expenditures thus incurred shall be as provided in Section 121.5 and shall be collected as provided in Section 121.6. Remedial action under this section shall not preclude other enforcement action authorized by this code.

121.2 Temporary safeguards: When, in the opinion of the building official, there is actual and immediate danger of collapse or failure of a building or structure or any part thereof which would endanger life or property, the building official may cause the necessary work to be done to render such building or structure or part thereof temporarily safe, whether or not notice has been given, and the liability for expenditures therefor shall

be as provided in this Section 121.0.

121.5 Liability for expenditures made by the building official: In any and all cases where the building official proceeds to enforce any provision of this code, including but not limited to the elimination of any safety, health, or fire hazard, or any blighting or insanitary condition, or the removal of any abandoned or illegally constructed building, structure, or other object, and in connection therewith furnishes, or causes to be furnished, any labor, supervision, equipment, or materials, or performs or causes to be performed any inspection, work, or operation to eliminate any such hazard or condition, or to remove any ~~abandoned-or-illegally-constructed~~ such building, structure, or other object, ~~and-the-furnishing-of-or-causing-to-be-furnished-such-labor,-supervision,-equipment,-or-materials,-or-the-performance-of-or-causing-to-be-performed-any-such-work -or operation-involves-the-expenditure-of-money;~~ the entire amount of the building official's expenditure, together with any and all costs incidental thereto and any penalties that may have accrued, shall be a personal debt, due and owing to the City by each and every person, to the extent such person is made liable under this code, ~~to the City~~. In addition thereto, the entire amount of such expenditure, together with the amount of any and all costs incidental thereto and any penalties that may have accrued, shall be a lien in favor of the City upon the interests of the owners of such land or improvements or both, and upon such land or improvements or both, in respect to which such expenditure or costs were made.

Any and all such debts shall be collectible from any assets of each and every person made liable under this code, including a former owner, and shall be immediately due and owing to the City upon the completion of any such work or expenditure. Any and all such liens shall be in full force and effect immediately after the building official has notified the Bureau of Liens ~~of the City~~ that appropriate notice has been given or that a building or other structure has been posted in accordance with the provisions of this code.

121.7 Priority of liens and encumbrances: The amounts of any and all debts or liens ~~mentioned in Sections 121.0 and 123.0, including those resulting from the appointment of a receiver as therein set forth~~, incurred under this code shall have priority over all other liens and encumbrances except taxes or other assessments; provided, however, that no such lien shall have such priority over any ground rent, ~~mortgage, or other encumbrance~~ or mortgage recorded prior to said lien, unless the owner or holder of the ground rent, ~~mortgage, or other encumbrance~~ or mortgage had received appropriate notice as provided in Section 123.3.7-4 ~~or has failed to request a violation report~~. Failure to serve a copy of the notice required in the manner specified by this code shall not affect the validity of any action taken, legal proceeding instituted pursuant to the provisions of this code, or debt or lien incurred under this code, or the appointment of a receiver, but the rights of the City or of the receiver shall not in such event be superior to the rights of any ~~owner~~; ground

rent owner, ~~mortgagee~~ ~~or~~ ~~liener~~ ~~of~~ ~~record~~ or mortgagee who shall not have been served with or given such notice ~~er-has-failed-to request-a-violation-report~~. Service upon one owner, ground rent owner, ~~mortgagee~~ ~~or~~ ~~liener~~ or mortgagee shall be deemed to be adequate service upon all persons similarly situated when the title to or lien upon such property is in more than one name.

123.3.3 Forms and contents of notices: Formal condemnation notices shall be issued in not less than quadruplicate on special forms, at least 8 by 11 inches in size, and 1 copy of such notices shall be sent to the Police Commissioner for the City of Baltimore and the Board of Fire Commissioners of Baltimore City.

Every formal condemnation notice shall set forth the location of the condemned building, structure, or other object, the reason why the building, structure, or other object is condemned, a reference to the provision or provisions of this code which are applicable, the requirements of the building official which must be complied with in order to remove the unsafe condition, the period of time in which the requirements of the building official must be complied with, and a warning concerning the entering of such condemned building, structure, or other object.

Formal violation notices and miscellaneous notices may be on any form the building official may direct, and 1 copy of such formal notices shall be sent to other agencies of the City which may be concerned with the subject of such notice.

Every formal violation notice shall set forth the location, the character of the violation, a reference to the provision or provisions of this code which are applicable, the requirements of the building official which must be complied with in order to rectify the violation, and the period of time in which the requirements of the building official must be complied with.

Every miscellaneous notice shall set forth all important facts relating to the matter covered by the notice, the requirements of the building official to correct the condition set forth in such notice, and the period of time in which the requirements of the building official must be complied with.

Every notice shall inform the person for whom such notice is intended of the authority of the building official to take action under Section 123.3.7-2 and of such person's right to request a hearing.

123.3.4 When notices are required to be served: Formal notices shall be issued and served in all cases where legal proceedings may be necessary to enforce this code, except where otherwise specified in this code. Formal notices shall be sent as follows:

Condemnation notices shall be sent to the owner of any land, building, structure, or other object which endangers the life, safety, or health of occupants thereof or the general public. In order that occupants of such premises and the general public be cognizant of such dangerous conditions, the building official shall cause a notice required by Section 123.5 to be posted conspicuously upon such land, building, structure, or other object.

Violation notices shall be sent to any person who violates any provision of this code, where a condemnation notice is not required and where a citation is not issued.

Miscellaneous notices shall be sent to any person to correct any condition or to perform, discontinue, omit, or modify any act contrary to the provisions of this code, and for which a condemnation or violation notice is not required.

123.3.5 Serving of notices: Any and all notices or orders issued by the building official pursuant to the provisions of this code shall be served on an appropriate person or persons or any duly authorized agent or representative of such person or persons. Where there is more than 1 person violating this code or responsible for compliance with this code, as in a case where property is owned by more than 1 person, notice may be served on any one of such persons or on any duly authorized agent or representative of any one of such persons.

Condemnation notices shall be served by members of the Police Department of Baltimore City, or by certified mail, return receipt requested, or by an official or employee of the City or the State of Maryland.

Violation notices shall be deemed to be properly served when served personally upon the owner, agent, person in control of the premises, or other person responsible for property in violation of this code, or when either sent by certified mail, return receipt requested, or hand delivered to such person's home, business, or tax record address.

Miscellaneous notices shall be served by any means deemed proper by the building official.

Nothing contained in this code shall be construed to excuse or relieve any person from duly complying with any and all provisions of this code for any and all times, regardless of whether or not any notice or order has been issued by the building official in any particular case.

123.3.7 Failure to comply with notices:

2. In the event that any person fails to comply with the requirements set forth in a violation or condemnation notice or citation, the building official is hereby authorized and empowered to repair, rebuild, raze, or take any action necessary to eliminate or make safe any dangerous, insanitary, or unsafe condition which is the subject matter of a violation or condemnation notice or citation.

3. In addition, in the event that any person fails to comply with the requirements set forth in any notice, the building official is authorized to take such action as may be necessary and proper, including the institution of any and all legal proceedings to compel compliance with the requirements set forth in such notice or to punish and deter noncompliance.

4. Before Except in case of emergency, before the building official proceeds to repair, rebuild, raze, or take any other action to eliminate or make safe any dangerous,

insanitary, or unsafe condition which is the subject of a condemnation or violation notice or citation, a notice shall be posted on the front of the building stating that the order in the said notice has not been complied with within the time and manner prescribed in said notice or that the violation noted on a citation has not been rectified, and stating further that the building official ~~will proceed to execute the same at the expiration of an additional 30 days~~ intends to execute the same and charge the expense thereof to the owner, agent, person in control, and/or former owner of the premises, as the case ~~may be,~~ unless the condition is of a character which requires more immediate action including severe blight, in which case the time specified in such notice shall be reasonable and proper in the judgment of the building official. ~~Reasonable notice in cases where the building official acts to clean or board property in accordance with Section 120.2 shall be 5 days.~~ Such notice shall also be served upon the owner, agent, person in control, and/or former owner (where liability is sought to be imposed upon such former owner) of the property or agent in the manner provided in this section, before the building official proceeds to incur expense if the character of the condition allows sufficient time may be, unless such person immediately informs the building official of the person's intent to comply or requests a hearing, notwithstanding any other provision of this code. Such notice shall also be mailed or delivered to the home, business, or tax record address of the owner, agent, person in control, and/or former owner (where liability is sought to be imposed upon such former owner) of the property, or agent thereof.

123.5.3 Vacating condemned building: Whenever any land, building, structure, or other object has been formally condemned by the building official, and the notice has been posted as required by Section 123.5.2, such notice shall be deemed as sufficient warning to all occupants of such condemned land, building, structure, or other object to leave the same immediately. In the event that any such occupant or occupants fail to vacate the same immediately after the posting of the aforesaid notice, the building official shall take whatever action is proper and expedient to remove any such occupant or occupants.

123.5.6 Removal of unsafe conditions: At any time after any condemned land, building, structure, or other object has been posted in accordance with Section 123.5.2, the building official is hereby authorized and empowered to raze, move, alter, repair, rehabilitate, rebuild, reconstruct, or take any other appropriate action to eliminate or make safe and secure any dangerous or unsafe condition or conditions. Before the building official shall raze, move, rehabilitate, rebuild, or reconstruct any land, building, structure or other object, he shall notify the owners of the properties containing buildings, immediately adjoining such condemned land, building, structure, or other object, of such intention to do so and state the approximate time when such action will commence.

123.6.1 Notice; service and filing:

1. If the building official shall desire that a receiver be appointed as hereinafter provided to rehabilitate the building as described in Section 120.3, make it fit for human habitation or other authorized use, and thereafter manage said building, he shall serve a copy of the original notice served upon the owner, agent, or person in control of such building upon every holder of a ground rent, mortgagee, and/or lienor of record, ~~as provided for in Section 121.7~~, personally or by registered mail, return receipt requested, at the address set forth in the recorded deed, mortgage, or lien or otherwise, pursuant to Section 123.3. Appended to the copy of such original notice shall be a further notice addressed to the owner, agent, or person in control of such building, and also to such ground rent owner, mortgagee, and/or lienor, stating that in the event the original notice is not complied with in the manner specified therein within 10 days of the receipt of the further notice, the building official may apply to an appropriate court of Baltimore City for an order to show cause why a receiver of the property, its rents, issues, and profits shall not be appointed with rights therein superior to those of such owner, agent, person in control of the property, owner of the ground rent, mortgagee, and/or lienor.

123.7.1 Power of the building official in emergencies: In case of an emergency where life, health, safety, or property is in immediate danger, and there is not sufficient time to comply with the notice provisions of this code, the building official is hereby authorized and empowered to immediately take any and all action necessary to protect such life, health, safety, or property without complying with said provisions.

123.7.3 Labor and material for emergency work: In all cases of emergency where life, health, safety, or property is in immediate danger and it is necessary to perform any work or operation to protect such life, health, safety, or property, the building official is hereby authorized and empowered to temporarily employ such persons and purchase such materials as may be necessary to perform such work or operation.

SECTION 201.0 GENERAL DEFINITIONS

Certificate of use and occupancy: Repealed from BOCA.

Change of use: Repealed from BOCA.

Occupancy: The state of occupying or using lands, buildings, or structures; the act of taking or holding possession of or using lands, buildings, or structures.

507.11.1 Repealed from BOCA.

507.12 Handicapped accessory structures: Handicapped accessory structures and lifts shall comply with the same requirements for steps listed in Section 507.2.

515.5.1 Timber construction: Coal and material bins, water towers, tank structures, and trestles may be erected of mill-type heavy timber construction with dimensions not less than required for Type 4 construction, trestles may be erected of mill-type heavy-timber-construction-with-dimensions-not-less-than-required-for-Type-4-construction, not over 35 feet in height, when located 30 feet from the interior lot lines or any building, except when located on lot lines along a railroad right of way or waterfront.

515.7 Bus and passenger terminals: Roofs over parking lots [7] or bus and passenger terminals may be erected 1 story and not over 20 feet in height and not more than 11,000 square feet in areas of noncombustible (Type 2C) construction or of heavy timber mill (Type 4) construction."

517.5 Electrical and mechanical requirements: All electrical work shall conform to the requirements of Article 27 of this code and the National Electrical Code, referenced in Section 2708.1. All mechanical work shall conform to the requirements of this code.

602.1.2 Public way: "Public way", wherever it appears in this Section 602.0, shall mean a paved thoroughfare over 21 feet (6.4 meters) in width, which is located on privately owned and maintained property designated for public use, or which is publicly owned and maintained, and which must be kept accessible at all times to the Baltimore City Fire Department. This public way shall not be farther from the building than will allow the Fire Department aerial equipment to reach 75 feet (22.86 meters) in height.

711.1 Yard setbacks: Yard or lot setbacks shall be in accordance with the Zoning Ordinance of Baltimore City.

807.2 Arrangement: All required exits shall be so located as to be discernable, accessible with unobstructed access thereto, and arranged so as to lead directly to the street with supplemental means of egress that will not be obstructed or impaired by fire, smoke, or other causes.

1300.1 Scope: The provisions of this article shall govern the quality, workmanship, and requirements for all construction materials hereafter used in the construction of buildings and structures. All construction materials and tests shall conform to the applicable standards listed in the appendices to this code.

The building official shall have the authority to review more recent editions of the listed standards and to adopt same in lieu of those adopted herein. A list of standards currently approved by the building official, otherwise than as specified, shall be promulgated in accordance with Section 110.6 and shall be filed with the Department of Legislative Reference.

2700.1 Purpose: The purpose of this Article 27 is to provide practical electrical regulations for the safeguarding of persons

and property from electrical hazards arising from the use of electricity. This Article 27 and the National Electrical Code referenced in Section 2708.1, together, may be referred to in this code as "these electrical regulations".

2700.2 Scope:

2. These electrical regulations do not cover:

a. Installations in ships, watercraft other than floating buildings, railway rolling stock, aircraft, or automotive vehicles other than mobile homes and recreational vehicles.

2701.2 Responsibility: Responsibility and liability of the owner and any others shall be as set forth in Section 117.0, insofar as it is applicable.

2702.1 Applications: Before any matter, thing, operation, or work mentioned in, regulated by, or provided for by these electrical regulations is commenced, an electrical permit application shall be filed as provided in Section 111.0. All electrical permit applications shall bear the name and address of the licensed electrician responsible for all work requested to be done under such application.

2709.1 General: The following list indicates modifications and supplements to the technical provisions of the National Electrical Code, with the affected requirement identified by the Section number of the NEC. Article and section numbers in this Section 2709.1 refer to the NEC unless otherwise specified.

2801.5 On-site utility contractors:

7. Suspension and revocation of license:

Within 10 days of the hearing the board shall issue a written decision to the licensee that the license is:

b. Revoked, in which case application for a new license may not be made until 6 months from the date of revocation; or

2802.4 Bond: Before any master plumber shall be allowed to receive permits to do plumbing work in the City, he shall be required to give bond to the City in an amount discretionary with the building official but in no event less than \$2500, and conditioned upon the fact that he shall comply with every provision of these plumbing regulations, of the rules and regulations of the building official in regard to said plumbing work, and of all laws and ordinances of the City and the State of Maryland, and that he shall indemnify and save harmless the City against and from all costs, expenses, damages, injury, and/or loss to which the City may be subject, by reason of any wrongdoing, misconduct, want of care or skill, negligence, or default on the part of said master plumber, his agents, or

employees, in the performance of such plumbing work.

This bond shall be for a minimum period of 3 years and, before the expiration of said period, shall be renewed for 1 year, for the purpose of having a bond in full force and effect for at least 1 year after the completion of all work under the issued permit. Under special circumstances and where additional permits will not be required by the master plumber, a bond can be issued that will be in full force and effect for a minimum period of 1 year after the conclusion of all work under previously issued permits, and if such a bond is accepted by the building official, no additional permits shall be issued to the master plumber.

If the master plumber shall be required to give bond, by virtue of the provisions of this Article 28, then he may give 1 bond guaranteeing that he will comply with the requirements of this article. Whenever the surety on the bond shall be deemed by the building official to be unsatisfactory, the master plumber, after 10 days' written notice by the building official to that effect, shall furnish and deliver a new bond to the building official, in the same penalty and on the same conditions, with a surety satisfactory to the building official. If the master plumber shall fail to furnish such new bond within said 10 days, the building official shall revoke all permits previously issued to such plumber on which the work has not been completed for at least 1 year, and no further permits shall be issued to him until a satisfactory bond has been furnished. Should the master plumber fail to remove and/or replace any materials or work which shall have been found not to be in accordance with the provisions of this code and/or the rules and regulations of the building official or to make any necessary repairs in an acceptable manner and in accordance with said requirements within the time allowed for such removal and/or replacement in a notice from the building official to that effect, the building official shall have the authority to cause such defective materials or work to be removed and/or replaced or such repairs to be made as he may deem necessary, at the expense of the master plumber. All costs and expenses incurred thereby shall be chargeable and collectible from the surety on the bond furnished by the master plumber. Any work performed by or for the building official as aforesaid shall not relieve the master plumber in any way from the responsibility for any work performed by him, and any remedies or penalties herein mentioned are specifically intended to be, and are, in addition to any other remedies or penalties provided by the laws of Maryland and the ordinances of the City.

2805.1 Inspection: The building official during the course of construction and upon completion shall have the right to inspect the plumbing system of the premises, including on-site utilities, and to make a written report of every such inspection. Such inspection shall take place before any of the pipes, fixtures, or connections have been covered up or enclosed from view.

2807.1 General: The following list indicates modifications and supplements to the technical provisions of the National

Standard Plumbing Code 1987 (NSPC), with the affected requirements identified by the Section number of the NSPC. Article and section numbers in this Section 2807.1 refer to the NSPC unless otherwise specified. References to the "administrative authority" shall be construed to mean the building official.

Chapter 15 - Tests and Maintenance

15.1 Inspections

15.1.1 Plumbing and drainage systems. An inspection shall be required for all work for which a permit is required by these regulations to install, reconstruct, extend, or make repairs to a plumbing or drainage system in any new or existing building, or on the property of any new or existing building, so as to assure that the work is installed in accordance with these plumbing regulations.

15.2 Notification

15.2.1 Advance notice. It shall be the responsibility of the plumber to give 24-hours advance notice to the office of the Superintendent of Mechanical Inspection when the plumbing or drainage work is ready for inspection.

15.2.2 Plumber's responsibility. It shall be the duty of the plumber to make sure that the work will stand the test that may be required before giving the notification.

15.2.3 Retesting. If the administrative authority finds that the work will not pass the test, the plumber shall be required to make necessary corrections and the work shall then be resubmitted for test or inspection.

15.2.4 Test. Tests shall be conducted in the presence of the administrative authority or his duly appointed representative.

15.3 Violations

15.3.1 Notices of violations shall be written and mailed or delivered by the administrative authority to the person responsible at the time inspection was made.

15.4 Reinspection

15.4.1 Reinspections. Reinspections of plumbing installations or any part thereof shall be made when deemed necessary by the administrative authority.

15.5 Covering of work

15.5.1 Requirements. No drainage or plumbing system or part thereof shall be covered until it has been inspected, tested, and

accepted as prescribed in these plumbing regulations, or otherwise approved by the administrative authority.

15.5.2 Uncovering. If any building drainage or plumbing system or part thereof which is installed, altered, or repaired, is covered before being inspected, tested, and approved, as prescribed in these plumbing regulations, it shall be uncovered for inspection after notice to uncover the work has been issued to the responsible person by the administrative authority.

15.5.3 Concealed work. When plumbing piping may be concealed in walls, floors, or ground without the necessity of opening the wall, floor, or ground for the installation, then the exposure requirements for inspection in paragraphs 15.5.1 and 15.5.2 need not apply.

15.6 Material and labor for tests

15.6.1 The equipment, material, and labor necessary for inspection or tests shall be furnished by the plumber to whom the permit is issued or by whom inspection is requested.

15.7 Tests of drainage and vent systems

15.7.1 When required, the piping of the plumbing, drainage, and venting systems shall be tested with water or air. After the plumbing fixtures have been set and their traps filled with water, the entire drainage system shall be submitted to a final test. The administrative authority may require the removal of any cleanouts, to ascertain if the pressure has reached all parts of the system.

15.8 Methods of testing drainage and vent systems

15.8.1 Water test. When required, the water test shall be applied to the drainage system either in its entirety or in sections. If applied to the entire system, all openings in the piping shall be tightly closed, except the highest opening, and the system filled with water to point of overflow. If the system is tested in sections, each opening shall be tightly plugged except the highest opening of the section under test, and each section shall be filled with water, but no section shall be tested with less than a 10-foot head of water. In testing successive sections, at least the upper 10 feet of the next preceding section shall be tested, so that no joint or pipe in the building, except the uppermost 10 feet of the system, shall have been submitted to a test of less than 10-foot head of water. The water shall be kept in the system, or in the portion under test, for at least 15 minutes before inspection starts; the system shall then be tight at all points.

15.8.2 Air test. When required, the air test shall be made by attaching an air compressor testing apparatus to any suitable opening, and, after closing all other inlets and outlets to the system, forcing air into the system until there is

a uniform gage pressure of 5 psi or sufficient to balance a column of mercury 10 inches in height. This pressure shall be held without introduction of additional air for a period of at least 15 minutes.

15.8.3 Final test. When required, the final test of the completed drainage and vent system may be either a smoke test or peppermint test. Where the smoke test is preferred, it shall be made by filling all traps with water and then introducing into the entire system a pungent, thick smoke produced by one or more smoke machines. When the smoke appears at stack openings on the roof, they shall be closed and a pressure equivalent to a 1-inch water column shall be built and maintained for 15 minutes before inspection starts. Where the peppermint test is preferred, 2 ounces of oil of peppermint shall be introduced for each line or stack.

15.9 Building sewer

15.9.1 Test required. The administrative authority may require that the building sewers be tested.

15.9.2 Method. When required, the test shall consist of plugging the end of the building sewer at the point of connection with the public sewer and filling the building sewer with water and testing with not less than a 10-foot head of water, or a flow test as provided by the administrative authority may be substituted.

15.10 Inspection and test not required

15.10.1 No test or inspection shall be required where a plumbing system, or part thereof, is set up for exhibition purposes and has no connection with a water or drainage system.

15.11 Test of water supply system

15.11.1 Upon completion of a section or of the entire water supply system, it shall be tested and proved tight under a water pressure not less than the working pressure under which it is to be used. The water used for tests shall be obtained from a potable source of supply.

15.12 Test of interior leaders or downspouts

15.12.1 The administrative authority may require that leaders and downspouts and branches within a building may be tested by water or air in accordance with paragraphs 15.8.1 or 15.8.2.

15.13 Certificate of approval

15.13.1 Upon the satisfactory completion and final test, if required, of the plumbing system, a certificate of approval may be issued by the administrative authority to the plumber to be delivered to the owner.

15.14 Defective plumbing

15.14.1 Whenever there is reason to believe that the plumbing system of any building has become defective, it shall be subjected to inspection or test, and if any defects are found, a violation notice shall be given to the owner or the owner's agent, and such defects shall be corrected as required by these plumbing regulations.

15.15 Maintenance

15.15.1 The plumbing and drainage system of any premises under the jurisdiction of the administrative authority shall be maintained in a sanitary and safe operating condition by the owner or his agent.

3007.4 Repealed.

SEC. 4. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

April 14 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 47

(Council No. 77)

AN ORDINANCE concerning

SNOW AND ICE REMOVAL

FOR the purpose of increasing the penalty for not removing snow and ice from sidewalks.

BY repealing and reordaining with amendments

Article 19- Police Ordinances

Section 177

Baltimore City Code (1983 Replacement Volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Section(s) of the Baltimore City Code (1983 Replacement Volume, as amended) be added, repealed, or amended, to read as follows:

ARTICLE 19 - POLICE ORDINANCES

Snow

177. Cleaning required.

It shall be the duty of each and every person, incorporated society or public institution using or occupying in any manner,

or for any purpose whatsoever, any house, store, shop, stable or tenement of any kind, and of persons having charge of churches and public buildings of every description, and of owners of unoccupied houses and unimproved lots, situated on any paved street, lane or alley in the city, within three hours after the fall of any snow (unless the snow shall have ceased to fall between the hours of three o'clock in the afternoon and six in the morning, in which case it shall be removed before eleven o'clock in the morning), to remove and clear away, or cause to be removed and cleared away, the same from the foot pavements fronting the respective houses, stores, shops, stables, churches, buildings or lots, so used, occupied or owned by them, or under their charge, in such manner as not to obstruct the passage of the water in the gutters, under a penalty of [two] 15 dollars for every [neglect] VIOLATION OF THIS SECTION, beside the expense of cleaning the same away, under the direction of the police officers in the mode provided in Section 178. And it shall further be the duty of the said persons and agents to keep the gutter or gutters leading to, and the pavements or sidewalks situate in front, rear or sides of such tenements above enumerated, free from ice and every obstruction of whatever nature; and every such owner, tenant or person having in charge, who shall fail to remove any such obstruction by ice or any other cause, for three hours after notification duly served on him, her or them by any police officer of the district, shall forfeit and pay [two] 15 dollars for such failure, and [five] 15 dollars additional for each and every day the obstruction may continue, such fines [and forfeitures] to be recoverable as is usual in similar cases.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th day after the date of its enactment.

April 20, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 48

(Council No. 97)

AN ORDINANCE concerning

SALES OF SINGLE CIGARETTES

For the purpose of prohibiting the sales of single cigarettes.

By adding to

Article 19 - Police Ordinances

Subtitle - To be under new subtitle "Cigarettes"

Section 8A

Baltimore City Code (1983 Replacement volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That section(s) of the Baltimore City Code (1983 Replacement Volume, as amended) be added, repealed or amended, to read as follows:

ARTICLE 19 - POLICE ORDINANCES

CIGARETTES

8A. SALES OF SINGLE CIGARETTES.

(A) DEFINITIONS. AS USED IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED UNLESS THEIR CONTEXT CLEARLY INDICATES OTHERWISE.

(1) PERSON MEANS AN INDIVIDUAL, RECEIVER, GUARDIAN, PERSONAL REPRESENTATIVE, FIDUCIARY, OR REPRESENTATIVE OF ANY KIND, AND ANY CORPORATION, PARTNERSHIP, FIRM, ASSOCIATION, JOINT VENTURE, OR OTHER LEGAL ENTITY.

(2) SALE MEANS ANY TRANSFER OF PROPERTY OF ANY KIND FOR CONSIDERATION.

(3) SINGLE CIGARETTE MEANS A CIGARETTE THAT IS NOT CONTAINED IN A SEALED PACKAGE OF 5 OR MORE CIGARETTES WHICH SEALED PACKAGE IS INTENDED TO BE SOLD OR DISTRIBUTED.

(B) A PERSON SHALL NOT SELL SINGLE CIGARETTES TO ANY PERSON.

(C) ANY PERSON WHO VIOLATES THE PROVISIONS OF THIS SUBTITLE SHALL BE GUILTY OF A MISDEMEANOR AND UPON CONVICTION SHALL BE SUBJECT TO A FINE OF NOT MORE THAN \$500.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th day after the date of its enactment.

April 20, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 49

(Council No. 103)

AN ORDINANCE concerning

HOLIDAY PARKING

FOR the purpose of prohibiting the issuance of parking citations on any city, state or federal holiday when area signs state that parking restrictions do not apply on holidays.

Ord. No. 50

BY repealing and reordaining with amendments

Article 31-Transit and Traffic

Subtitle - Holidays

Section 52

Baltimore City Code (1983 Replacement Volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Section(s) of the Baltimore City Code (1983 Replacement Volume, as amended) be added, repealed, or amended to read as follows:

ARTICLE 31-TRANSIT AND TRAFFIC

Holidays

52. Exceptions; procedure.

(a) Whenever in this Article there is no exception as to the stopping, standing or parking of vehicles on Saturdays, Sundays or legal holidays, or any one of such days, in any ordinance or section covering the stopping, standing or parking of vehicles, the Commissioner of ~~Transit and Traffic~~ Transportation is authorized and empowered, in his discretion, to make an exception for any such day[s] which is not specifically mentioned in the particular section concerned. The exception shall be legal and fully applicable when the proper signs giving notice thereof are posted on the particular street concerned.

(B) CITATIONS FOR STOPPING, STANDING OR PARKING SHALL NOT BE ISSUED ON ANY CITY, STATE OR FEDERAL HOLIDAY WHEN THE TRAFFIC CONTROL SIGNS IN THE AREA STATE THAT PARKING RESTRICTIONS DO NOT APPLY ON HOLIDAYS.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th day after the date of its enactment.

April 20, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 50

(Council No. 126)

AN ORDINANCE concerning

RESERVED PARKING ON

N. WOODINGTON ROAD

For the purpose of providing for reserved parking on the east side of Woodington Road for Marjorie A. Coleman.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That on the east side of N. Woodington Road, from a point 80' south of Gelston Drive to a point 102' south of Gelston Drive, parking is reserved for Marjorie A. Coleman, displaying a permit.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

April 20, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 51

(Council No. 127)

AN ORDINANCE concerning

RESERVED PARKING ON

CARROLL STREET

For the purpose of providing for reserved parking on the west side of Carroll Street for Charles R. Davis.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That on the west side of Carroll Street, from a point 151' south of Cross Street to a point 173' south of Cross Street, parking is reserved for Charles R. Davis, displaying a permit.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

April 20, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 52

(Council No. 128)

AN ORDINANCE concerning

RESERVED PARKING ON

HAMILTON STREET

For the purpose of providing for reserved parking on the south side of Hamilton Street near St. Paul Place (Lower Level) for the SECRETARY OF LICENSING AND REGULATION.

Ord. No. 53

By repealing and reordaining with amendments
Ordinance No. 880
Approved February 26, 1987

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That on the south side of Hamilton Street, from St. Paul Place (Lower Level) to a point 30' east thereof, parking is reserved for [Supervisor of Assessments for Baltimore City,] THE SECRETARY OF LICENSING AND REGULATION, displaying a permit.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

April 20, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 53

(Council No. 140)

AN ORDINANCE concerning

REPEAL OF RESERVED PARKING ORDINANCE

FOR the purpose of repealing Ordinance No. 927, approved April 24, 1987, which provided for reserved parking on the south side of Eastern Avenue for William Backus.

SECTION 1. Be it ordained by the Mayor and City Council of Baltimore, That Ordinance No. 927, approved April 24, 1987, is hereby repealed and the authorization for reserved parking on the south side of Eastern Avenue from a point 61' east of Patterson Park Avenue to a point 83' east of Patterson Park Avenue therein provided, is hereby rescinded.

SEC. 2. And be it further ordained, That this ordinance shall take effect on the date of its enactment.

April 20, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 54

(Council No. 30)

AN ORDINANCE concerning

SUPPLEMENTARY REVENUE LOAN FUND CAPITAL APPROPRIATION -
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

FOR the purpose of providing a supplementary revenue loan fund capital appropriation in the amount of Two Million Dollars

(\$2,000,000) to the Department of Housing and Community Development (9911-592-879-00-660) to finance the cost of renovating the Lexington Market Office Building.

BY authority of

Article VI - Board of Estimates

Section 2 (h) (3)

Baltimore City Charter (1964 Revision as amended)

WHEREAS, The money appropriated herein represents proceeds from the sale of revenue bonds, such amount being in excess of the revenues estimated and relied upon by the Board of Estimates in determining the tax levy required to balance the budget for the 1988 fiscal year, and is therefore available for appropriation to the Department of Housing and Community Development pursuant to the provisions of Article VI, Section 2(h) (3), of the Baltimore City Charter (1964 Revision as amended); and

WHEREAS, The sum appropriated herein is for a new program which could not reasonably be anticipated at the time of formulation of the proposed Ordinance of Estimates for the 1988 fiscal year, in accordance with Article VI, Section 2(h) (3) of said Charter; and

WHEREAS, This supplementary revenue loan fund capital appropriation has been recommended to the City Council by the Board of Estimates at a regular meeting of the Board held on the 18 day of November, 1987, all in accordance with Article VI, Section 2 (h) (3) of said Charter.

SECTION 1. BE IT FURTHER ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That under the provisions of Article VI, Section 2(h) (3) of the 1964 revision of the Charter of Baltimore City as amended, the sum of Two Million Dollars (\$2,000,000) shall be made available to the Department of Housing and Community Development of the City of Baltimore as a supplementary revenue loan fund capital appropriation for the fiscal year ending June 30, 1988 for the purpose of financing the cost of renovating the Lexington Market Office Building. The amount thus made available as a supplementary revenue loan fund appropriation shall be expended from the proceeds of the sale of revenue bonds, said amount being in excess of the amount from this source which was estimated and relied upon by the Board of Estimates in determining the tax levy required to balance the budget for the 1988 fiscal year; and said funds shall be the source of revenue for this supplementary loan fund appropriation, as required by Article VI, Section 2 of the Baltimore City Charter (1964 Revision as amended).

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect from the date of its passage.

April 27, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 55

(Council No. 54)

AN ORDINANCE concerning

SUPPLEMENTARY HOUSING AND URBAN DEVELOPMENT 108 LOAN FUND
APPROPRIATION - DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

FOR the purpose of providing a supplementary Housing and Urban Development 108 loan fund appropriation in the amount of Three Million Dollars (\$3,000,000) to the Department of Housing and Community Development Account (9911-592-878) to finance the cost of public improvements on Pier 5.

BY authority of

Article VI - Board of Estimates

Section 2 (h) (3)

Baltimore City Charter (1964 Revision as amended)

WHEREAS, The money appropriated herein represents proceeds from the issuance of Housing and Urban Development 108 Notes, such amount being in excess of the revenues estimated and relied upon by the Board of Estimates in determining the tax levy required to balance the budget for the 1988 fiscal year, and is therefore available for appropriation to the Department of Housing and Community Development pursuant to the provisions of Article VI, Section 2(h) (3), of the Baltimore City Charter (1964 Revision as amended); and

WHEREAS, The sum appropriated herein is for a new program which could not reasonably be anticipated at the time of formulation of the proposed Ordinance of Estimates for the 1988 fiscal year, in accordance with Article VI, Section 2(h) (3) of said Charter; and

WHEREAS, This supplementary Housing and Urban Development 108 loan fund appropriation has been recommended to the City Council by the Board of Estimates at regular meeting of the Board held on the 6th day of January, 1988, all in accordance with Article VI, Section 2 (h) (3) of said Charter.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That under the provisions of Article VI, Section 2(h) (3) of the 1964 revision of the Charter of Baltimore City as amended, the sum of Three Million Dollars (\$3,000,000) shall be made available to the Department of Housing and Community Development of the City of Baltimore as a supplementary Housing and Urban Development 108 loan fund appropriation for the fiscal year ending June 30, 1988 for the purpose of financing the cost of public improvements on Pier 5. The amount thus made available as a supplementary Housing and Community Development loan fund appropriation shall be expended from the proceeds of the issuance of Housing and Urban Development 108 Notes, said amount being in excess of the amount from this source which was estimated and

relied upon by the Board of Estimates in determining the tax levy required to balance the budget for the 1988 fiscal year; and said funds shall be the source of revenue for this supplementary loan fund appropriation, as required by Article VI, Section 2 of the Baltimore City Charter (1964 Revision as amended).

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

April 27, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 56

(Council No. 119)

AN ORDINANCE concerning

SUPPLEMENTARY LOAN FUND CAPITAL APPROPRIATION -
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

FOR the purpose of providing a supplementary loan fund capital appropriation in the amount of Seven Hundred Fifty Thousand Dollars (\$750,000) to the Department of Housing and Community Development (9911-588-701) to be used for improvements and new stairs in Charles Center Plaza.

BY authority of

Article VI - Board of Estimates

Section 2 (h) (3)

Baltimore City Charter (1964 Revision as amended)

WHEREAS, Section 7 of Article XI of the Constitution of Maryland permits the Mayor and City Council of Baltimore to submit ordinances to create debt to the voters of Baltimore City for approval after such ordinances have been approved by a majority of the Members of the General Assembly of Maryland representing Baltimore City; and

WHEREAS, The Members of the General Assembly of Maryland representing Baltimore City approved Resolution V of 1987 which authorizes the issuance of certificates of indebtedness by Baltimore City upon approval by a majority of votes of the legal voters of Baltimore City, the aggregate amount of said certificates not to exceed Seven Million Three Hundred Thousand Dollars (\$7,300,000) to be used for community development including Seven Hundred Fifty Thousand Dollars (\$750,000) for improvements and new stairs in Charles Center Plaza; and

WHEREAS, City Ordinance 1024 approved July 10, 1987 authorizes the issuance of certificates of indebtedness by the Mayor and City Council of Baltimore to an amount not exceeding Seven Million Three Hundred Thousand Dollars (\$7,300,000) for the

purposes set forth in Resolution V of 1987 approved by the Members of the General Assembly of Maryland representing Baltimore City, provided that said Ordinance is not to become effective unless it shall be approved by a majority of the votes of the legal voters of the City of Baltimore at the General Election on November 3, 1987; and

WHEREAS, The money appropriated herein represents an issuance of certificates of indebtedness authorized by City Ordinance 1024 approved July 10, 1987, such amount being in excess of the revenue estimated and relied upon by the Board of Estimates in determining the tax levy required to balance the budget for the 1988 fiscal year, and is therefore available for appropriation to Housing and Community Development (9911-588-701) pursuant to the provisions of Article VI, Section 2(h) of the Baltimore City Charter (1964 Revision as amended); and

WHEREAS, The additional sum appropriated herein is for a new program not included in the current Ordinance of Estimates and is made necessary by a material change in circumstances since the formulation and adoption of such Ordinance, in accordance with Article VI, Section 2(h) (3) of said charter; and

WHEREAS, This supplementary loan fund capital appropriation has been recommended to the City Council by the Board of Estimates at a regular meeting of the Board on February 10, 1988, all in accordance with Article VI, Section 2(h)(3) of the Baltimore City Charter (1964 Revision as amended).

SECTION 1. BE IT FURTHER ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That under the provisions of Article VI, Section 2(h) (3) of the 1964 revision of the Charter of Baltimore City as amended, the sum of Seven Hundred Fifty Thousand Dollars (\$750,000) shall be made available to the Department of Housing and Community Development (9911-588-701) of the City of Baltimore as a supplementary loan fund capital appropriation for the fiscal year ending June 30, 1988 for the purpose of providing improvements and new stairs in Charles Center Plaza. The amount thus made available as a supplementary loan fund capital appropriation shall be expended from revenue derived from the issuance of certificates of indebtedness as authorized by the voters of Baltimore City on November 3, 1987, said amount being in excess of the amount from this source which was estimated and relied upon by the Board of Estimate in determining the tax levy required to balance the budget for the 1988 fiscal year; and said funds shall be the source of revenue for this supplementary loan fund capital appropriation, as required by Article VI, Section 2 of the Baltimore City Charter (1964 Revision as amended).

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

April 27, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 57

(Council No. 120)

AN ORDINANCE concerning

VENDORS' HOT LINE

FOR the purpose of setting up a telephone information system on bidding opportunities with the City.

BY adding

Article 1 - Mayor, City Council, and Municipal Agencies
Subtitle - to be under a new subtitle "Vendors' Hot Line"

Section 228

Baltimore City Code (1983 Replacement Volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That section(s) of the Baltimore City Code (1983 Replacement Volume, as amended) be added, repealed, or amended, to read as follows:

ARTICLE 1 - MAYOR, CITY COUNCIL, AND MUNICIPAL AGENCIES

VENDORS' HOT LINE

228. VENDORS' HOT LINE.

(A) THE DIRECTOR OF PURCHASING SHALL ESTABLISH A TELEPHONE LINE OR SYSTEM OF TELEPHONE LINES KNOWN AS THE VENDORS' HOT LINE.

(B) THE PRIMARY PURPOSE OF THE VENDORS' HOT LINE IS TO PROVIDE CALLERS WITH PRERECORDED INFORMATION ON ALL CONTRACTING OPPORTUNITIES THAT ARE CURRENTLY AVAILABLE WITH AGENCIES OR DEPARTMENTS OF THE CITY OF BALTIMORE.

(C) THE VENDORS' HOT LINE SHALL PROVIDE BY PRERECORDED MESSAGE TO CALLERS THE FOLLOWING INFORMATION:

(1) THE TITLE OF THE BID, AND OTHER IDENTIFYING INFORMATION ON THE CONTRACT;

(2) THE NATURE OF THE PROCUREMENT, INCLUDING WHETHER THE PROCUREMENT IS FOR SUPPLIES, SERVICES, CONSTRUCTION OR COMMODITIES;

(3) THE AMOUNT OF DEPOSIT REQUIRED, IF ANY;

(4) A REFERENCE TO THE MBE/WBE REQUIREMENTS;

(5) THE DATE, TIME AND PLACE FOR SUBMISSION OF BIDS;

(6) A BRIEF DESCRIPTION OF THE TYPE OF SUPPLIES, SERVICES, COMMODITIES OR CONSTRUCTION BEING SOUGHT AND WHETHER

THE OFFER IS FOR TERM CONTRACT;

(7) WHERE AND WHEN FURTHER INFORMATION ON THE CONTRACT MAY BE OBTAINED; AND

(8) ANY OTHER INFORMATION THE DIRECTOR CONSIDERS APPROPRIATE AND PRACTICABLE.

(D) THE DIRECTOR OF PURCHASING SHALL HAVE THE VENDORS' HOT LINE IN OPERATION ON OR BEFORE OCTOBER 1, 1988. THEREAFTER, THE INFORMATION ON THE VENDORS' HOT LINE SHALL BE UPDATED AT LEAST ONCE EACH WEEK.

SEC. 2. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect on the 30th day after the date of its enactment.

April 27, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 58

(Council No. 122)

AN ORDINANCE concerning

RETIREMENT SYSTEMS - REAL ESTATE INVESTMENTS

FOR the purpose of clarifying the language concerning the taxability and liability of certain real estate investments and making a technical clarification to the description of a real estate investment pool.

By numbering

Article 22 - Retirement Systems
Subtitle - Employees' Retirement System
Paragraph following Section 7(a)(8)(ii)-7 - to be Section 7(a)(8)(ii)-8.
Baltimore City Code (1983 Replacement Volume, as amended)

Article 22 - Retirement Systems
Subtitle - Fire and Police Employees
Paragraph following Section 35(a)(8)(ii)-7 - to be Section 35(a)(8)(ii)-8.
Baltimore City Code (1983 Replacement Volume, as amended)

By repealing and reordaining with amendments

Article 22 - Retirement Systems
Subtitle - Employees' Retirement System
Sections 7(a)(8)(ii)-4, 7(a)(8)(ii)-5 and 7(a)(8)(ii)-8
Baltimore City Code (1983 Replacement Volume, as amended)

Article 22 - Retirement Systems

Subtitle - Fire and Police Employees

Sections 35(a)(8)(ii)-4, 35(a)(8)(ii)-5 and 35(a)(8)(ii)-8
Baltimore City Code (1983 Replacement Volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Section(s) of the Baltimore City Code (1983 Replacement Volume, as amended) be added, repealed, or amended, to read as follows:

ARTICLE 22 - RETIREMENT SYSTEMS

EMPLOYEES' RETIREMENT SYSTEM

7. Management of funds.

(a) Trustee of funds.

(8)(ii)

4. The trust agreement [or insurance company pool] shall be tax exempt under the applicable provisions of the Internal Revenue Code, Sections 401 and 501(a) or subsequent amendments or revisions thereto. IN THE CASE OF INSURANCE COMPANY POOLS, THE POOLS SHALL SATISFY THE APPLICABLE REQUIREMENTS OF THE INTERNAL REVENUE CODE, AS AMENDED, SO THAT

THE INSURANCE COMPANY DOES NOT PAY FEDERAL INCOME TAX ON THE EARNINGS OF THE SEPARATE ACCOUNTS OF SUCH POOLS.

5. The trust funds of the real estate investment pool [, or separate account of an insurance company's real estate investment pool,] shall be immune from suit, and exempt from attachment by any creditors of any person, corporation or other entity that is responsible for the management, custody, control, maintenance, or investment of the funds, or having any similar responsibility in said pool, under any local, state, or federal law. TITLE TO ALL ASSETS OF A SEPARATE ACCOUNT OF AN INSURANCE COMPANY'S REAL ESTATE INVESTMENT POOL SHALL BE HELD SOLELY IN THE CORPORATE NAME OF THE INSURANCE COMPANY ITSELF, AND UNDER APPLICABLE LAW SUCH ASSETS SHALL NOT BE CHARGEABLE WITH LIABILITIES ARISING OUT OF ANY OTHER BUSINESS WHICH THE INSURANCE COMPANY MAY CONDUCT.

8. For THE purposes of this section, a real estate investment pool shall mean any investment wherein the Retirement System places certain funds into a commingled trust, or a commingled separate account of a life insurance company, and wherein the trust or insurance COMPANY utilizes said funds to make certain real estate investments in the District of Columbia, or in any state of the United States of America or province of Canada, and wherein each investor owns through units a certain equity in the investments [based on the investor's percentage of contribution in relation to the total amount of the assets in the trust or separate insurance account].

FIRE AND POLICE EMPLOYEES

35. Management of funds.

(a) Trustee of funds.

(8)(ii)

4. The trust agreement [or insurance company pool] shall be tax exempt under the applicable provisions of the Internal Revenue Code, Sections 401 and 501(a) or subsequent amendments or revisions thereto. IN THE CASE OF INSURANCE COMPANY POOLS, THE POOLS SHALL SATISFY THE APPLICABLE REQUIREMENTS OF THE INTERNAL REVENUE CODE, AS AMENDED, SO THAT THE INSURANCE COMPANY DOES NOT PAY FEDERAL INCOME TAX ON THE EARNINGS OF THE SEPARATE ACCOUNTS OF SUCH POOLS.

5. The trust funds of the real estate investment pool [, or separate account of an insurance company's real estate investment pool,] shall be immune from suit, and exempt from attachment by any creditors of any person, corporation or other entity that is responsible for the management, custody, control, maintenance, or investment of the funds, or having any similar responsibility in said pool, under any local, state, or federal law. TITLE TO ALL ASSETS OF A SEPARATE ACCOUNT OF AN INSURANCE COMPANY'S REAL ESTATE INVESTMENT POOL SHALL BE HELD SOLELY IN THE CORPORATE NAME OF THE INSURANCE COMPANY ITSELF, AND UNDER APPLICABLE LAW SUCH ASSETS SHALL NOT BE CHARGEABLE WITH LIABILITIES ARISING OUT OF ANY OTHER BUSINESS WHICH THE INSURANCE COMPANY MAY CONDUCT.

8. For THE purposes of this section, a real estate investment pool shall mean any investment wherein the Retirement System places certain funds into a commingled trust, or a commingled separate account of a life insurance company, and wherein the trust or insurance COMPANY utilizes said funds to make certain real estate investments in the District of Columbia, or in any state of the United States of America or province of Canada, and wherein each investor owns through units a certain equity in the investment [based on the investor's percentage of contribution in relation to the total amount of the assets in the trust or separate insurance account].

Sec. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th day after the date of its enactment.

April 27, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 59

(Council No. 142)

AN Ordinance concerning

SUPPLEMENTARY GENERAL FUND CAPITAL APPROPRIATION -
DEPARTMENT OF PUBLIC WORKS

FOR the purpose of providing a supplementary general fund capital appropriation in the amount of Three Million Dollars (\$3,000,000) to the Department of Public Works (9916-197-134) to be used for the City-wide Asbestos Management Program.

BY authority of
Article VI - Board of Estimates
Section 2(h)(3)
Baltimore City Charter (1964 Revision as amended)

WHEREAS, the money appropriated herein represents revenue produced by excess proceeds from Income Tax - Fiduciary (\$2,600,000) and Income Tax - Tax Amnesty (\$400,000) in excess of the amount from this source estimated and relied upon by the Board of Estimates in determining the tax levy required to balance the budget for the 1988 fiscal year, and is therefore available for appropriation to the Department of Public Works pursuant to the provisions of Article VI, Section 2(h)(3) of the Baltimore City Charter (1964 Revision as amended); and

WHEREAS, the additional sum appropriated herein is for a new program which could not reasonably be anticipated at the time of the formulation of the proposed Ordinance of Estimates for the fiscal year ending June 30, 1988, in accordance with Article VI, Section 2(h)(3) of said Charter; and

WHEREAS, this supplementary general fund capital appropriation has been recommended to the City Council by the Board of Estimates at a regular meeting of the Board held on the 16th day of March, 1988, all in accordance with Article VI, Section 2(h)(3) of the Baltimore City Charter (1964 Revision as amended).

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That under the provisions of Article VI, Section 2(h)(3) of the 1964 revision of the Charter of Baltimore City, as amended, the sum of Three Million Dollars, (\$3,000,000) shall be made available to the Department of Public Works (9916-197-134) of the City of Baltimore as a supplementary general fund capital appropriation for the fiscal year ending June 30, 1988 for the purpose of providing for the City-wide Asbestos Management Program. The amount thus made available as a supplementary general fund capital appropriation shall be expended from revenue derived from the excess proceeds from Income Tax - Fiduciary (\$2,600,000) and Income Tax - Tax Amnesty (\$400,000),

said amount being in excess of the amount from this source which was estimated and relied upon by the Board of Estimates in determining the tax levy required to balance the budget for the 1988 fiscal year, and said funds from said Income Tax - Fiduciary and Income Tax - Tax Amnesty shall be the source of revenue for this supplementary general fund capital appropriation, as required by Article VI, Section 2(h)(3) of the Baltimore City Charter (1964 Revision as amended).

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

April 27, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 60

(Council No. 143)

AN Ordinance concerning

SUPPLEMENTARY GENERAL FUND OPERATING APPROPRIATION -
MAYORALTY RELATED - B/E EDUCATIONAL GRANTS

FOR the purpose of providing a supplementary general fund operating appropriation in the amount of Five Hundred Thousand Dollars to Mayoralty Related - B/E Educational Grants (Program 446) to provide various special purpose grants.

BY authority of
Article VI - Board of Estimates
Section 2(h)(3)
Baltimore City Charter (1964 Revision as amended)

WHEREAS, the money appropriated herein represents revenue produced by excess proceeds from Income Tax - Fiduciary in excess of the amount from this source estimated and relied upon by the Board of Estimates in determining the tax levy required to balance the budget for the 1988 fiscal year, and is therefore available for appropriation to provide various special purpose grants pursuant to the provisions of Article VI, Section 2(h)(3) of the Baltimore City Charter (1964 Revision as amended); and

WHEREAS, the additional sum appropriated herein is for a new program which could not reasonably be anticipated at the time of the formulation of the proposed Ordinance of Estimates for the fiscal year ending June 30, 1988, in accordance with Article VI, Section 2(h)(3) of said Charter; and

WHEREAS, this supplementary general fund operating appropriation has been recommended to the City Council by the Board of Estimates at a regular meeting of the Board held on the

16th day of March, 1988, all in accordance with Article VI, Section 2(h)(3) of the Baltimore City Charter (1964 Revision as amended).

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That under the provisions of Article VI, Section 2(h)(3) of the 1964 Revision of the Charter of Baltimore City, as amended, the sum of Five Hundred Thousand Dollars (\$500,000) shall be made available to Mayoralty Related - B/E Educational Grants (Program 446) to provide various special purpose grants as a supplementary general fund operating appropriation for the fiscal year ending June 30, 1988. The amount thus made available as a supplementary general fund operating appropriation shall be expended from revenue derived from the excess proceeds from Income Tax - Fiduciary, said amount being in excess of the amount from this source which was estimated and relied upon by the Board of Estimates in determining the tax levy required to balance the budget for the 1988 fiscal year; and said funds from said Income Tax - Fiduciary shall be the source of revenue for this supplementary general fund operating appropriation, as required by Article VI, Section 2(h)(3) of the Baltimore City Charter (1964 Revision as amended).

SEC. 2. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect on the date of its enactment.

April 27, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 61

(Council No. 145)

AN Ordinance concerning

SUPPLEMENTARY GENERAL FUND CAPITAL APPROPRIATION -
DEPARTMENT OF EDUCATION

FOR the purpose of providing a supplementary general fund capital appropriation in the amount of Two Million Seven Hundred Thousand Dollars (\$2,700,000) to the Department of Education (9932-418-020) to be used for the Asbestos Management Program (AHERA).

By authority of
Article VI - Board of Estimates
Section 2(h)(3)
Baltimore City Charter (1964 Revision as amended)

WHEREAS, the money appropriated herein represents revenue produced by excess proceeds from Income Tax - Fiduciary in excess of the amount from this source estimated and relied upon by the Board of Estimates in determining the tax levy required to

balance the budget for the 1988 fiscal year, and is therefore available for appropriation to the Department of Education pursuant to the provisions of Article VI, Section 2(h)(3) of the Baltimore City Charter (1964 Revision as amended); and

WHEREAS, the additional sum appropriated herein is for a new program which could not reasonably be anticipated at the time of the formulation of the proposed Ordinance of Estimates for the fiscal year ending June 30, 1988, in accordance with Article VI, Section 2(h)(3) of said Charter; and

WHEREAS, this supplementary general fund capital appropriation has been recommended to the City Council by the Board of Estimates at a regular meeting of the Board held on the 16th day of March, 1988, all in accordance with Article VI, Section 2(h)(3) of the Baltimore City Charter (1964 Revision as amended).

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That under the provisions of Article VI, Section 2(h)(3) of the 1964 Revision of the Charter of Baltimore City, as amended, the sum of Two Million Seven Hundred Thousand Dollars (\$2,700,000) shall be made available to the Department of Education (9932-418-020) of the City of Baltimore as a supplementary general fund capital appropriation for the fiscal year ending June 30, 1988 for the purpose of providing for the Asbestos Management Program (AHERA). The amount thus made available as a supplementary general fund capital appropriation shall be expended from revenue derived from the excess proceeds from Income Tax - Fiduciary, said amount being in excess of the amount from this source which was estimated and relied upon by the Board of Estimates in determining the tax levy required to balance the budget for the 1988 fiscal year; and said funds from said Income Tax - Fiduciary shall be the source of revenue for this supplementary general fund capital appropriation, as required by Article VI, Section 2(h)(3) of the Baltimore City Charter (1964 Revision as amended).

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

April 27, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 62

(Council No. 146)

AN ORDINANCE concerning

RESERVED PARKING ON

CHRISTIAN STREET

For the purpose of providing for reserved parking on the south side of Christian Street for Catherine E. Rausch.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That on the south side of Christian Street, from a point 125' east of Bentalou Street to a point 147' east of Bentalou Street, parking is reserved for Catherine E. Rausch, displaying a permit.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

April 27, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 63

(Council No. 147)

AN ORDINANCE concerning

RESERVED PARKING ON

FAIRVIEW AVENUE

For the purpose of providing for reserved parking on the north side of Fairview Avenue for Gerald L. Robinson.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That on the north side of Fairview Avenue, from a point 40' east of Granada Avenue to a point 62' east of Granada Avenue, parking is reserved for Gerald L. Robinson, displaying a permit.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

April 27, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 64

(Council No. 95)

AN ORDINANCE concerning

CITY PROPERTY - SALE

FOR the purpose of authorizing the Mayor and City Council of Baltimore to sell at either public or private sale all of the interest of the Mayor and City Council of Baltimore in and to a certain parcel of land and improvements located at 4000 Old Frederick Road, Baltimore, Maryland, said parcel of land and improvements being no longer needed for public use.

BY authority of

Article V - Comptroller

Section 5(b)

Baltimore City Charter (1964 Revision, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Comptroller of Baltimore City be and he is hereby authorized to sell at either public or private sale in accordance with Article V, Section 5(b) of the City Charter (1964 Revision, as amended), all of the interest of the Mayor and City Council of Baltimore in and to a certain parcel of land and improvements situate in Baltimore, Maryland, and described as follows:

4000 Old Frederick Road (Block 2550, Lot 001)
Formerly known as School 71
containing 263,328 square feet of land,
more or less

said property being no longer needed for public use.

SEC. 2. AND BE IT FURTHER ORDAINED, That no deed or deeds shall pass in accordance herewith until the same shall have been first approved by the City Solicitor.

SEC. 3. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

May 4, 1988

Kurt L. Schmoke, Mayor

ORDINANCE NO. 65

(Council No. 153)

AN ORDINANCE concerning

URBAN RENEWAL - FELLS POINT - ACQUISITION
OF 907 S. CAROLINE STREET

FOR the purpose of supplementing and amending Ordinance No. 965 of the Mayor and City Council of Baltimore, approved by the Mayor on June 12, 1987, which approved Amendment No. 12 to the Urban Renewal Plan for Fells Point, to add 907 S. Caroline Street to the listing of properties to be acquired, by purchase or by condemnation, for urban renewal purposes.

BY repealing and re-enacting, with amendments, Section 2 of Ordinance No. 965 of the Mayor and City Council of Baltimore, approved June 12, 1987.

WHEREAS, The Mayor and City Council of Baltimore (the "City"), by Ordinance No. 965, approved by the Mayor of the City on June 12, 1987 (the "Ordinance"), approved an amended Urban Renewal Plan for Fells Point, identified as "Urban Renewal Plan, Fells Point . . . revised to include Amendment No. 12, dated March 24, 1986 and revised September 12, 1986 and March 24, 1987" and authorized the acquisition, by purchase or by condemnation, for urban renewal purposes, of certain properties in Fells Point; and

WHEREAS, The City has been advised that the property at 907 S. Caroline Street was inadvertently omitted from the list of properties to be acquired in Section 2 of the Ordinance; and

WHEREAS, The City has determined that acquisition of 907 S. Caroline Street is critical in the development for off-street parking of a portion of the block bounded by Thames, Bond, and Caroline Streets, which has been designated Disposition Lot 16 for Residential/Neighborhood Commercial use in the approved Urban Renewal Plan for Fells Point; now, therefore,

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Section 2 of the Ordinance is hereby repealed, amended and re-enacted as follows:

SEC. 2. AND BE IT FURTHER ORDAINED, That it is necessary to acquire, by purchase or by condemnation, for urban renewal purposes, the fee simple interest or any lesser interest in and to certain properties or portions thereof, together with all right, title, interest and estate that the owner or owners of said property interests may have in all streets, alleys, ways or lanes, public or private, both abutting the whole area described and/or contained within the perimeter of said area, situate in Baltimore City, Maryland, and described as follows:

1504 Bellhouse Court
850/54 S. Bond Street
2215/17 Boston Street
801/07 S. Caroline Street
809 S. Caroline Street
819/29 S. Caroline Street
831/37 S. Caroline Street
901 S. Caroline Street
903/5 S. Caroline Street
907 S. CAROLINE STREET

802 S. Dallas Street
870 S. Dallas Street
872 S. Dallas Street

1509 Lancaster Street
1511 Lancaster Street
1513 Lancaster Street
1515 Lancaster Street
1517 Lancaster Street
1519 Lancaster Street

1500 Thames Street
1502/08 Thames Street
1510/12 Thames Street
1514/20 Thames Street
1522 Thames Street
1524 Thames Street
1526 Thames Street
1528 Thames Street
1530 Thames Street
1532/34 Thames Street

SEC. 3. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

May 4, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 66

(Council No. 192)

AN Ordinance concerning

SUPPLEMENTARY GENERAL FUND CAPITAL
APPROPRIATION - DEPARTMENT OF EDUCATION

FOR the purpose of providing a supplementary General Fund capital appropriation in the amount of Three Hundred Thousand Dollars (\$300,000) to the Department of Education (9932-418-025) to be used for improvements to School No. 51 - Waverly Elementary School.

By authority of
Article VI - Board of Estimates
Section 2(h)(3)
Baltimore City Charter (1964 Revision as amended)

WHEREAS, The money appropriated herein represents revenue produced from Earnings on Investments in excess of the amount from this source estimated and relied upon by the Board of Estimates in determining the tax levy required to balance the budget for the fiscal year 1988, and is therefore available for appropriation to the Department of Education pursuant to the provisions of Article VI, Section 2(h)(3) of the Baltimore City Charter (1964 Revision as amended); and

WHEREAS, The additional sum appropriated herein is for a new program which could not reasonably be anticipated at the time of the formulation of the proposed Ordinance of Estimates for the fiscal year ending June 30, 1988, in accordance with Article VI, Section 2 (h)(3) of said Charter; and

WHEREAS, This supplementary General Fund capital appropriation has been recommended to the City Council by the Board of Estimates at a regular meeting of the Board held on the 20th day of April, 1988, all in accordance with Article VI, Section 2(h)(3) of the Baltimore City Charter (1964 Revision as amended).

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That under the provisions of Article VI, Section 2(h)(3) of the 1964 Revision of the Charter of Baltimore City, as amended, the sum of Three Hundred Thousand Dollars (\$300,000) shall be made available to the Department of Education (9932-418-025) of the City of Baltimore as a supplementary General Fund capital appropriation for the fiscal year ending June 30, 1988, for the purpose of providing for improvements to School No. 51 - Waverly Elementary School. The amount thus made available as a supplementary General Fund capital appropriation shall be expended from revenue derived from Earnings on Investments, said amount being in excess of the amount from this source which was estimated and relied upon by the Board of Estimates in determining the tax levy required to balance the budget for the 1988 fiscal year; and said funds from said Earning on Investments shall be the source of revenue for this supplementary General Fund capital appropriation, as required by Article VI, Section 2(h)(3) of the Baltimore City Charter (1964 Revision as amended).

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

May 17, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 67

(Council No. 193)

AN Ordinance concerning

SUPPLEMENTARY GENERAL FUND CAPITAL
APPROPRIATION - DEPARTMENT OF EDUCATION

FOR the purpose of providing a supplementary General Fund capital appropriation in the amount of Three Hundred Thousand Dollars (\$300,000) to the Department of Education (9932-418-024) to be used for improvements to School No. 58 - Ashburton Elementary School.

By authority of
Article VI - Board of Estimates
Section 2(h)(3)
Baltimore City Charter (1964 Revision as amended)

WHEREAS, The money appropriated herein represents revenue produced from Earnings on Investments in excess of the amount from this source estimated and relied upon by the Board of Estimates in determining the tax levy required to balance the budget for the fiscal year 1988, and is therefore available for appropriation to the Department of Education pursuant to the provisions of Article VI, Section 2(h)(3) of the Baltimore City Charter (1964 Revision as amended); and

WHEREAS, The additional sum appropriated herein is for a new program which could not reasonably be anticipated at the time of the formulation of the proposed Ordinance of Estimates for the fiscal year ending June 30, 1988, in accordance with Article VI, Section 2(h)(3) of said Charter; and

WHEREAS, This supplementary General Fund capital appropriation has been recommended to the City Council by the Board of Estimates at a regular meeting of the Board held on the 20th day of April, 1988, all in accordance with Article VI, Section 2(h)(3) of the Baltimore City Charter (1964 Revision as amended).

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That under the provisions of Article VI, Section 2(h)(3) of the 1964 Revision of the Charter of Baltimore City, as amended, the sum of Three Hundred Thousand Dollars (\$300,000) shall be made available to the Department of Education (9932-418-024) of the City of Baltimore as a supplementary General Fund capital appropriation for the fiscal year ending June 30, 1988, for the purpose of providing for improvements to School No. 58 - Ashburton Elementary School. The amount thus made available as a supplementary General Fund capital appropriation shall be expended from revenue derived from Earnings on Investments, said amount being in excess of the amount from this source which was estimated and relied upon by the Board of Estimates in

determining the tax levy required to balance the budget for the 1988 fiscal year; and said funds from Earnings on Investments shall be the source of revenue for this supplementary General Fund capital appropriation, as required by Article VI, Section 2(h)(3) of the Baltimore City Charter (1964 Revision as amended).

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

May 17, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 68

(Council No. 32)

AN ORDINANCE concerning

ZONING- APPROVAL FOR CONDITIONAL USE

HOUSING FOR THE ELDERLY - 1225 E. EAGER ST., BALTO., MD 21202

FOR the purpose of granting permission for the establishment, maintenance and operation of housing for the elderly on the property known as 1225 East Eager Street, as outlined in red on the plats accompanying this ordinance.

BY authority of

Article 30-Zoning

Sections 6.2-1d, 9.0-2n, and 11.0-6d

Baltimore City Building Code (1983 Replacement Volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission is hereby granted for the establishment, maintenance and operation of housing for the elderly on the property known as 1225 East Eager Street, as outlined in red on the plats accompanying this ordinance, under the provisions of Sections 6.2-1d, 9.0-2n and 11.0-6d of Article 30 of the Baltimore City Code (1983 Replacement Volume, as amended), title "Zoning".

SEC. 2. AND BE IT FURTHER ORDAINED, That upon passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof and in order to give notice to the departments which are administering the Zoning Ordinance, the President of the City Council shall sign the plat and when the Mayor approves the ordinance, he shall sign the plat. The Director of Finance shall then transmit a copy of the ordinance and one of the plats to the following: the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of the Department of Housing and Community Development, the Supervisor of Assessments for Baltimore City and Zoning Administrator.

Ord. No. 69

SEC. 3. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th day after the date of its enactment.

May 26, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 69

(Council No. 168)

AN ORDINANCE concerning

REPEAL OF RESERVED PARKING ORDINANCE

36TH STREET

For the purpose of repealing Ordinance No. 135, approved 7/28/80, which provided for reserved parking on the west side of 36th Street for Lew Bessowitz.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Ordinance No. 135, approved 7/28/80, is hereby repealed, and the authorization for reserved parking on the west side of 36th Street, from 142' west of Keswick Road to a point 164' west of Keswick Road, is hereby rescinded.

May 26, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 70

(Council No. 58)

AN ORDINANCE concerning

REZONING - 2334-2354 BOSTON STREET

FOR the purpose of changing the zoning for the properties known as 2334-2354 Boston Street from the M-3 Zoning District to the B-2-2 Zoning District, as outlined in red on the plats accompanying this ordinance.

BY amending Zoning District Maps

Sheet No. 67

Article 30-Zoning

Baltimore City Code (1983 Replacement Volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sheet No. 67 of the Zoning District Maps of Article 30 of the Baltimore City Code (1983 Replacement Volume,

as amended) title "Zoning" be and it is hereby amended by changing the zoning for the properties known as 2334-2354 Boston Street from the M-3 Zoning District to the B-2-2 Zoning District, as outlined in red on the plats accompanying this ordinance.

SEC. 2. AND BE IT FURTHER ORDAINED, That upon passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof and in order to give notice to the departments which are administering the Zoning Ordinance, the President of the City Council shall sign the plat and when the Mayor approves the ordinance, he shall sign the plat. The Director of Finance shall then transmit a copy of the ordinance and one of the plats to the following: the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of the Department of Housing and Community Development, the Supervisor of Assessments for Baltimore City and the Zoning Administrator.

SEC. 3. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th day after the date of its enactment.

June 2, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 71

(Council No. 65)

AN ORDINANCE concerning

CITY STREET - OPENING PORTIONS OF GAY STREET,
WATER STREET, AND CUSTOM HOUSE AVENUE

FOR the purpose of condemning and opening of (1) Gay Street, 66 feet wide, extending from Baltimore Street Southerly 366 feet, more or less, to Water Street, (2) Water Street, 49.50 feet wide, extending from Gay Street Westerly 193 feet, more or less, to Custom House Avenue and (3) Custom House Avenue, as now laid out, extending from Baltimore Street Southerly 368.5 feet, more or less, to Water Street, in accordance with a plat thereof numbered 347-A-35, prepared by the Surveys and Records Division and filed in the Office of the Department of Public Works, on the Twenty-third (23rd) day of December, 1987.

BY authority of

Article I - General Provisions

Section - 4

Article II - General Provisions

Sections 2, 34, 35

Baltimore City Charter (1964 Revision, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works be, and they are hereby authorized and directed to condemn and open (1) Gay Street, 66 feet wide, extending from Baltimore Street Southerly 366 feet, more or less, to Water Street, (2) Water Street, 49.50 feet wide, extending from Gay Street Westerly 193 feet, more or less, to Custom House Avenue and (3) Custom House Avenue, as now laid out, extending from Baltimore Street Southerly 368.5 feet, more or less, to Water Street, the streets hereby directed to be condemned for said opening being described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the west side of Gay Street, 66 feet wide, and the south side of Baltimore Street, 66 feet wide, and running thence binding on the south side of said Baltimore Street, Easterly 66 feet, more or less, to intersect the east side of said Gay Street; thence binding on the east side of said Gay Street, South $04^{\circ}-00'-50''$ East 366 feet, more or less, to intersect the north side of Water Street, 49.50 feet wide; thence binding on the north side of said Water Street, Westerly 66 feet, more or less, to intersect the west side of said Gay Street and thence binding on the west side of said Gay Street, North $04^{\circ}-00'-50''$ West 366.35 feet to the place of beginning.

Beginning for Parcel No. 2 at the point formed by the intersection of the north side of Water Street, 49.50 feet wide, and the west side of Gay Street, 66 feet wide, and running thence binding on the west side of said Gay Street, Southerly 49.5 feet, more or less, to intersect the south side of said Water Street; thence binding on the south side of said Water Street, South $86^{\circ}-32'-40''$ West 193 feet, more or less, to intersect the line of the east side of Custom House Avenue, as now laid out, if projected southerly; thence binding reversely on said line so projected, North $03^{\circ}-45' 46''-20''$ West 49.5 feet, more or less, to intersect the north side of said Water Street and thence binding on the north side of said Water Street, North $86^{\circ}-32'-40''$ East 193.15 feet to the place of beginning.

Beginning for Parcel No. 3 at the point formed by the intersection of the west side of Custom House Avenue, as now laid out, and the south side of Baltimore Street, 66 feet wide, and running thence binding on the south side of said Baltimore Street, Easterly 40 feet, more or less, to intersect the east side of said Custom House Avenue; thence binding on the east side of said Custom House Avenue, South $03^{\circ}-46'-20''$ East 367.96 feet to intersect the north side of Water Street, 49.50 feet wide; thence binding on the north side of said Water Street, South $86^{\circ}-32'-40''$ West 40 feet, more or less, to intersect the west side of said Custom House Avenue and thence binding on the west side of said Custom House Avenue, North $03^{\circ}-46'-20''$ West 369 feet, more or less, to the place of beginning.

The said streets as directed to be condemned being more particularly described and referred to among the Land Records of Baltimore City and delineated and particularly shown on a plat

numbered 347-A-35 which was filed in the Office of the Department of Public Works on the Twenty-third (23rd) day of December, in the year 1987, and is now on file in said Office.

SEC. 2. AND BE IT FURTHER ORDAINED, That the proceedings of said Department of Public Works, with reference to the condemnation and opening of said streets and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1964 Revision) as amended to July 1, 1973 and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SEC. 3. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect on the date of its enactment.

June 2, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 72

(Council No. 66)

AN ORDINANCE concerning

CITY STREET - CLOSING OF PORTIONS OF GAY STREET,
WATER STREET, AND CUSTOM HOUSE AVENUE

FOR the purpose of condemning and closing of (1) a 10 foot wide portion of Gay Street at and above a horizontal plane 16 feet above the highest point on the public sidewalk below said portion of Gay Street, (2) a 2 foot wide portion of Water Street and (3) a 10 foot wide portion of Custom House Avenue at and above a horizontal plane 16 feet above the highest point on the public sidewalk below said portion of Custom House Avenue, in accordance with a plat thereof numbered 347-A-35A, prepared by the Surveys and Records Division and filed in the Office of the Department of Public Works, on the Twenty-third (23rd) day of December, 1987.

BY authority of

Article I - General Provisions

Section - 4

Article II - General Provisions

Sections 2, 34, 35

Baltimore City Charter (1964 Revision, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works be, and they are hereby authorized and directed to condemn and close (1) a 10 foot wide portion of Gay Street at and above a horizontal plane 16 feet above the highest point on the public sidewalk below said portion of Gay Street, (2) a 2 foot wide portion of Water Street and (3) a 10 foot wide portion of Custom House Avenue at and above a horizontal plane 16 feet above the highest point on the public sidewalk below said portion of Custom House Avenue, the portions of streets hereby directed to be condemned for said closing described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the north side of Water Street, 49.50 feet wide, and the west side of Gay Street, 66 feet wide, and being at a horizontal ~~place~~ plane 16 feet above the highest point on the public sidewalk below the parcel being herein described and ascending to an elevation of unlimited height, and running thence binding on the west side of said Gay Street, North 04°-00'-50" West 167.96 feet to the point formed by the intersection of the north outline of the property known as No. 16/20 S. Gay Street and the west side of said Gay Street; thence binding on the line of the north outline of said property if projected easterly, North 86°-54'-20" East 10.00 feet to intersect a line drawn parallel with and distant 10.00 feet easterly measured at right angles from the west side of said Gay Street; thence binding on said line so drawn, South 04°-00'-50" East 167.90 feet to intersect the line of the north side of said Water Street if projected easterly and thence binding reversely on last said line so projected, South 86°-32'-40" West 10.00 feet to the place of beginning.

Beginning for Parcel No. 2 at the point formed by the intersection of the north side of Water Street, 49.50 feet wide, and the west side of Gay Street, 66 feet wide, and running thence binding on the line of the west side of said Gay Street if projected southerly, South 04°-00'-50" East 2.00 feet to intersect a line drawn parallel with and distant 2.00 feet southerly measured at right angles from the north side of said Water Street; thence binding on said line so drawn, South 86°-32'-40" West 193.16 feet to intersect the line of the east side of Custom House Avenue, as now laid out, if projected southerly; thence binding reversely on last said line so projected, North 03°-46'-20" West 2.00 feet to intersect the north side of said Water Street, and thence binding on the north side of said Water Street, North 86°32'-40" East 193.15 feet to the place of beginning.

Beginning for Parcel No. 3 at the point formed by the intersection of the north side of Water Street, 49.50

feet wide, and the east side of Custom House Avenue, as now laid out, and being at a horizontal plane 16 feet above the highest point on the public sidewalk below the parcel being herein described and ascending to an elevation of unlimited height, and running thence binding on the line of the north side of said Water Street if projected westerly, South $86^{\circ}32'-40''$ West 10.00 feet to intersect a line drawn parallel with and distant 10.00 feet westerly measured at right angles from the east side of said Custom House Avenue; thence binding on said line so drawn, North $03^{\circ}46'-20''$ West 175.23 feet; thence by a straight line, North $86^{\circ}54'-20''$ East 10.00 feet to the east side of said Custom House Avenue and thence binding on the east side of said Custom House Avenue, South $03^{\circ}46'-20''$ East 175.17 feet to the place of beginning.

All courses and distances in the above descriptions are referred to the true meridian as adopted by the Baltimore Survey Control System.

The said portions of streets as directed to be condemned being delineated and particularly shown on a plat numbered 347-A-35A which was filed in the Office of the Department of Public Works on the Twenty-third (23rd) day of December, in the year 1987, and is now on file in said Office.

SEC. 2. AND BE IT FURTHER ORDAINED, That after said highway or highways shall have been closed under the provisions of this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, shall be and continue to be the property of the Mayor and City Council of Baltimore, in fee simple, until the use thereof shall be abandoned by the Mayor and City Council of Baltimore, and in the event that any person, firm or corporation shall desire to remove, alter or interfere therewith, such person, firm or corporation shall first obtain permission and permits therefor from the Mayor and City Council of Baltimore, and shall in the application for such permission and permits agree to pay all costs and charges of every kind and nature made necessary by such removal, alteration or interference.

SEC. 3. AND BE IT FURTHER ORDAINED, That no buildings or structures of any kind shall be constructed or erected in said portion of said highway or highways after the same shall have been closed under the provisions of this Ordinance until the subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, over which said buildings or structures are proposed to be constructed or erected shall have been abandoned or shall have been removed and relaid in accordance with the specifications and under the direction of the Director of Public Works of Baltimore City, and at the expense of the person or persons or body corporate desiring to erect such buildings or structures. Railroad tracks shall be taken to be "structures" within the meaning of this section.

SEC. 4. AND BE IT FURTHER ORDAINED, That after said highway or highways shall have been closed under the provisions of this Ordinance, all subsurface structures and appurtenances owned by any person, firm or corporation, other than the Mayor and City Council of Baltimore, shall upon notice from the Director of Public Works of Baltimore City, be promptly removed by and at the expense of the said owners.

SEC. 5. AND BE IT FURTHER ORDAINED, That on and after the closing of said highway or highways, the said Mayor and City Council of Baltimore, acting through its duly authorized representatives, shall, at all times, have access to said property and to all subsurface structures and appurtenances used by it therein, for the purposes of inspection, maintenance, repair, alteration, relocation and/or replacement, of any or all of said structures and appurtenances, and this without permission from or compensation to the owner or owners of said land.

SEC. 6. AND BE IT FURTHER ORDAINED, That the proceedings of said Department of Public Works with reference to the condemnation and closing of said portions of streets and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1964 Revision) as amended to July 1, 1973 and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SEC. 7. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect on the date of its enactment.

June 2, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 73

(Council No. 72)

AN ORDINANCE concerning

REZONING - 5009 FRANKFORD AVENUE

FOR the purpose of changing the zoning for the property known as 5009 Frankford Avenue from the B-1-1 Zoning District to the R-5 Zoning District, as outlined in red on the plats accompanying this ordinance.

BY amending Zoning District Maps

Sheet No. 29

Article 30-Zoning

Baltimore City Code (1983 Replacement Volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sheet No. 29 of the Zoning District Maps of Article 30-Zoning of the Baltimore City Code (1983 Replacement Volume, as amended) title "Zoning" be and it is hereby amended by changing from the B-1-1 Zoning District to the R-5 Zoning District, the property known as 5009 Frankford Avenue, as outlined in red on the plats accompanying this ordinance.

SEC. 2. AND BE IT FURTHER ORDAINED, That upon passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof and in order to give notice to the departments which are administering the Zoning Ordinance, the President of the City Council shall sign the plat and when the Mayor approves the ordinance, he shall sign the plat. The Director of Finance shall then transmit a copy of the ordinance and one of the plats to the following: the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of the Department of Housing and Community Development, the Supervisor of Assessments for Baltimore City and the Zoning Administrator.

SEC. 3. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th day after the date of its enactment.

June 2, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 74

(Council No. 73)

AN ORDINANCE concerning

ZONING- APPROVAL FOR CONDITIONAL USE
NURSING HOME - 5009 FRANKFORD AVENUE

FOR the purpose of granting permission for the establishment, maintenance and operation of a nursing home on the property located at 5009 Frankford Avenue, as outlined in red on the plats accompanying this ordinance, subject to final licensure by the State Department of Health and Mental Hygiene and further subject to the condition that the home will contain no more than 120 beds.

BY authority

Article 30-Zoning

Sections 4.8-1d and 11.0-6d

Baltimore City Code (1983 Replacement Volume, as amended)
and
Article 12-Hospitals
Section 1
Baltimore City Code (1983 Replacement Volume, as amended)

Section 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission is hereby granted to Nicholas B. and Mary C. Mangione for the establishment, maintenance and operation of a nursing home on the property located at 5009 Frankford Avenue, as outlined in red on the plats accompanying this ordinance, under the provisions of Sections 4.8-1d and 11.0-6d of Article 30 of the Baltimore City Code (1983 Replacement Volume, as amended) title "Zoning", and Section 1 of Article 12, title "Hospitals" of the Baltimore City Code (1983 Replacement Volume, as amended), subject to final licensure by the State Department of Health and Mental Hygiene and further subject to the condition that the home will contain no more than 120 beds.

SEC. 2. AND BE IT FURTHER ORDAINED, That upon passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof and in order to give notice to the departments which are administering the Zoning Ordinance, the President of the City Council shall sign the plat and when the Mayor approves the ordinance, he shall sign the plat. The Director of Finance shall then transmit a copy of the ordinance and one of the plats to the following: The Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of the Department of Housing and Community Development, the Supervisor of Assessments for Baltimore City and the Zoning Administrator.

Sec. 3. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th day after the date of its enactment.

June 2, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 75

(Council No. 124)

AN ORDINANCE concerning

PRESERVATION DISTRICT - BUTCHERS HILL

FOR the purpose of providing that the area located within certain described boundaries shall be the Butchers Hill Historical and Architectural Preservation District.

BY adding

Article 1 - Mayor, City Council, and Municipal Agencies
Subtitle - Commission for Historical and Architectural
Preservation

Section 40(qq)

Baltimore City Code (1983 Replacement Volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That section(s) of the Baltimore City Code (1983 Replacement Volume, as amended) be added, repealed, or amended, to read as follows:

ARTICLE 1 - MAYOR, CITY COUNCIL AND MUNICIPAL AGENCIES

Commission for Historical and Architectural Preservation

40. Created, powers, duties.

(QQ) THE AREA LOCATED WITHIN THE BOUNDARIES SET FORTH IN THIS SUBSECTION IS HEREBY DECLARED TO BE THE BUTCHERS HILL HISTORICAL AND ARCHITECTURAL PRESERVATION DISTRICT:

BEGINNING FOR THE SAME AT THE POINT FORMED BY THE INTERSECTION OF THE CENTERLINE OF PATTERSON PARK AVENUE, 70 FEET WIDE AND THE LINE OF THE SOUTH OUTLINE OF THE PROPERTY KNOWN AS NO. 134 S. PATTERSON PARK AVENUE, IF PROJECTED EASTERLY, AND RUNNING THENCE BINDING ON THE CENTERLINE OF SAID PATTERSON PARK AVENUE, CROSSING PRATT STREET, SOUTHERLY 215 FEET, MORE OR LESS, TO INTERSECT THE LINE OF THE SOUTH SIDE OF AN ALLEY 10 FEET WIDE, LAID OUT 125 FEET SOUTH OF PRATT STREET, 60 FEET WIDE, IF PROJECTED EASTERLY; THENCE BINDING IN PART REVERSELY ON LAST SAID LINE SO PROJECTED, IN PART ON THE SOUTH SIDE OF SAID ALLEY, IN PART ON THE LINE OF THE SOUTH SIDE OF SAID ALLEY, IF PROJECTED WESTERLY, AND IN ALL, CROSSING MADEIRA STREET AND COLLINGTON AVENUE, WESTERLY 467 FEET, MORE OR LESS, TO INTERSECT THE WEST SIDE OF COLLINGTON AVENUE, 70 FEET WIDE; THENCE BINDING ON THE WEST SIDE OF SAID COLLINGTON AVENUE, CROSSING PRATT STREET, NORTHERLY 320 FEET, MORE OR LESS, TO INTERSECT THE LINE OF THE SOUTH SIDE OF AN ALLEY, 10 FEET WIDE LAID OUT IN THE REAR OF THE PROPERTIES KNOWN AS NO. 2200 THROUGH AND INCLUDING NO. 2214 E. PRATT STREET, IF PROJECTED WESTERLY; THENCE BINDING IN PART REVERSELY ON LAST SAID LINE SO PROJECTED, IN PART ON THE SOUTH SIDE OF LAST SAID ALLEY, IN PART ON THE LINE OF THE SOUTH SIDE OF LAST SAID ALLEY IF PROJECTED EASTERLY, AND IN ALL, CROSSING COLLINGTON AVENUE AND MADEIRA STREET, EASTERLY 277 FEET, MORE OR LESS, TO INTERSECT THE EAST SIDE OF MADEIRA STREET, 20 FEET WIDE; THENCE BINDING ON THE EAST SIDE OF SAID MADEIRA STREET, SOUTHERLY 105 FEET, MORE OR LESS, TO THE SOUTH OUTLINE OF SAID PROPERTY KNOWN AS NO. 134 S. PATTERSON PARK AVENUE, AND THENCE BINDING IN PART ON THE SOUTH OUTLINE OF SAID PROPERTY, IN PART ON THE LINE OF THE SOUTH OUTLINE OF SAID PROPERTY IF PROJECTED EASTERLY, AND IN ALL, EASTERLY 190 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING.

Ord. No. 76

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th day after the date of its enactment.

June 2, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 76

(Council No. 188)

AN ORDINANCE concerning

REPEAL OF RESERVED PARKING ORDINANCE

FAIT AVENUE

For the purpose of repealing Ordinance No. 1081, approved 10/23/87, which provided for reserved parking on the north side of Fait Avenue for Charles Fisher.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Ordinance No. 1081, approved 10/23/87, is hereby repealed, and the authorization for reserved parking on the north side of Fait Avenue west of Highland Avenue for Charles Fisher.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

June 2, 1988

Kurt L. Schmoke, Mayor

ORDINANCE NO. 77

(Council No. 189)

AN ORDINANCE concerning

REPEAL OF RESERVED PARKING ORDINANCE

LOUISE AVENUE

FOR the purpose of repealing Ordinance No. 803, approved 10/25/82, which provided for reserved parking on the south side of Louise Avenue for Edgar L. Starkloff.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Ordinance No. 803, approved 10/25/82, is hereby repealed, and the authorization for reserved parking on the south side of Louise Avenue, from 32' west of Plymouth Road to 50' west of Plymouth Road for Edgar L. Starkloff.

SEC. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

June 2, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 78

(Council No. 194)

AN ORDINANCE concerning

RESERVED PARKING ON

S. CONKLING STREET

For the purpose of providing for reserved parking on the west side of S. Conkling Street for Mary Roberts.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That on the west side of S. Conkling Street, from a point 148' north of Bank Street to a point 170' north of Bank Street parking is reserved for Mary Roberts, displaying a permit.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

June 2, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 79

(Council No. 187)

AN ORDINANCE concerning

DISCRIMINATORY PRACTICES

FOR the purpose of prohibiting certain discriminatory practices against persons because of sexual orientation in employment, public accommodations, education, and health and welfare services.

BY adding to

Article 4 - Community Relations

Subtitle

Section 9(16), 12(8)

Baltimore City Code (1983 Replacement Volume, as amended)

BY repealing and reordaining with amendments

Article 4 - Community Relations

Sections 8, 9(6), 10, 11(3), 12(6) and 13(3)

Baltimore City Code (1983 Replacement Volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That section(s) of the Baltimore City Code (1983 Replacement Volume, as amended) be added, repealed, or amended, to read as follows:

ARTICLE 4 - COMMUNITY RELATIONS

8. Declaration of policy and findings of fact.

The Mayor and City of Baltimore find that:

The population of Baltimore is composed of persons having differing racial, religious and ethnic backgrounds.

Discrimination in the fields of education and preliminary job training and other prevailing conditions and causes have precluded members of certain ethnic, sex or age groups, and persons with a physical or mental disability from acquiring, developing and maintaining essential educational, vocational, cultural, and professional background and efficiency for entrance into, and the earning of a livelihood in, many fields of endeavor. Members of these groups who are qualified are not given fair, equal and impartial employment opportunities. Such prevention from earning an income necessary to maintain normal and decent living standards has retarded community progress and increased public relief rolls.

Discrimination in health and welfare services imposes unnecessary individual and community hardships and has actually resulted in denial to members of such groups of care, attention and service essential to maintenance of their physical and emotional well-being.

The practice by places of public accommodation, resort or amusement of refusing to accommodate and serve members of groups tends to impose hardship upon the members of these groups and also tends to cause and intensify inter-group tension.

Discrimination against women in the fields of education, preliminary job training, health and welfare services and employment opportunities, and the refusal of service in places of public accommodations, resort or amusement imposes a social hardship upon women and penalizes the society in that women cannot make maximum use of their skills and abilities to enrich the world around them.

Arbitrary age discrimination in employment prevents many of our citizens from working at jobs for which they are qualified and forces others who are willing and able to work into involuntary retirement. These workers are denied the opportunity

of working in their chosen fields and are often forced to accept support from society through unemployment insurance and relief payments.

It is estimated that over 11 percent of the working age population in the Baltimore area has a physical or mental disability which limits the kind of work such persons can do. The law should protect their right to have an equal chance to perform in the jobs for which they are suited and to be educated for such employment. Places of public accommodation, resort and amusement as well as health and welfare agencies and educational institutions should make available their facilities and programs to persons having physical and mental disabilities.

DISCRIMINATION BECAUSE OF SEXUAL ORIENTATION PRODUCES UNTOLD ANXIETIES, MENTAL ANGUISH AND HUMAN SUFFERING, NOT ONLY IN THE VICTIMS OF DISCRIMINATION THEMSELVES, BUT ALSO AMONG THEIR FAMILIES.

Legislation is necessary in the public interest to avoid permanent adverse effects upon the development, growth and renewal of the City of Baltimore.

Therefore, the Mayor and City Council of Baltimore deem it necessary and expedient to promote and protect the public welfare by enacting this subtitle to prevent and eliminate discrimination by the persons and in the areas herein defined.

9. Definitions.

The terms hereinafter set forth, wherever used in this subtitle, are defined as follows;

(6) Discrimination means any difference in the treatment of an individual or person because of race, color, religion, national origin, ancestry, sex, [or] physical or mental disability, OR SEXUAL ORIENTATION and shall include segregation; except that it shall not be discrimination for any religious or denominational institution to devote its facilities, exclusively or primarily, to or for members of its own religion or denomination or to give preference to such members or to make such selection as is calculated by such institution to promote the religious principles for which it is established or maintained; nor shall it be discrimination for an employer to disqualify a person with a physical or mental disability when the nature or extent of the disability makes the person unfit or unsuited for the job; nor shall it be discrimination for an educational institution to restrict its student body and student activities to one sex or the other, neither shall it be discrimination for an educational institution to provide special educational or recreational programs for individuals with a physical or mental disability; excepting further, it shall not be discrimination for any person to provide separate toilet facilities for males and females. This definition also applies to the verb "to discriminate" and to the adjective

"discriminatory" as used herein.

(16) SEXUAL ORIENTATION MEANS THE STATUS OF AN INDIVIDUAL AS TO HOMOSEXUALITY, HETEROSEXUALITY OR BISEXUALITY. THIS SECTION IS NOT INTENDED TO PERMIT ANY PRACTICE PROHIBITED BY STATE OR LOCAL LAW.

10. Unlawful employment practices.

Except where a particular occupation or position reasonably requires, as an essential qualification thereof, the employment of a person or persons of a particular race, color, religion, national origin, ancestry, sex, age [or], physical or mental capability, OR SEXUAL ORIENTATION, and such qualification is not adopted as a means of circumventing the purpose of this subtitle, it shall be an unlawful practice:

(1) For any employer to discriminate against an individual with respect to hire, tenure, promotion, terms, conditions, or privileges of employment or any matter directly or indirectly related to employment;

(2) For any employer, employment agency or labor organization to practice discrimination by denying or limiting through a quota system or otherwise, employment or membership opportunities to any group or individual;

(3) For any employer, employment agency or labor organization prior to employment or admission to membership to:

(i) Make any inquiry concerning, or record, the race, color, religion, national origin, [or] ancestry, OR SEXUAL ORIENTATION of any applicant for employment or membership except when authorized or ordered by the Commission;

(ii) Use any form of application for employment of personnel or membership blank containing questions or entries regarding race, color, religion, national origin, [or] ancestry, OR SEXUAL ORIENTATION except when authorized or ordered by the Commission;

(iii) Cause to be printed, published or circulated any notice or advertisement relating to employment or membership indicating any preference, limitation, specification or discrimination based upon race, color, religion, national origin, ancestry, sex, [or] age, OR SEXUAL ORIENTATION.

(4) For any employment agency to practice discrimination by failing or refusing properly to classify an individual or to refer him for employment;

(5) For any labor organization to discriminate against any individual by limiting, segregating, or classifying its membership in any way which would deprive or tend to deprive such individual of employment opportunities or would limit his

employment opportunities or otherwise adversely affect his status as an employee or as an [application] APPLICANT for employment or would affect adversely his wages, hours, or employment conditions;

(6) For any employer, employment agency, or labor organization to penalize or discriminate in any manner against any individual because he has opposed any practice forbidden by this subtitle or because he has made a complaint, testified, or assisted in any manner in any investigation, proceeding, or hearing hereunder;

(7) For any labor organization or employers' association established for the purpose of training apprentice candidates, acting individually or jointly, to discriminate against any person with respect to admission or membership, or with respect to terms, conditions of employment or training, placement, or any other benefits;

(8) For any employer, employment agency, or labor organization to discriminate against any individual because he has sought psychiatric help.

11. Unlawful practices; places of public accommodation, etc.

It shall be an unlawful practice for any person, including any owner, lessee, proprietor, superintendent, manager, agent, or employee of a place of public accommodation, resort, or amusement to:

(3) Communicate, publish, advertise, or represent that any services, advantages, facilities, or privileges of such place of public accommodation, resort or amusement will be refused, withheld, or denied to any persons on account of race, color, religion, national origin, ancestry, sex, [or] physical or mental disability, OR SEXUAL ORIENTATION, or that the patronage or custom of any person belonging to or purporting to be of any particular race, color, religion, national origin, ancestry, sex, SEXUAL ORIENTATION, or possessing any physical or mental disability is unwelcome, objectionable, or not acceptable, desired, or solicited.

12. Same; educational institutions.

It shall be an unlawful educational practice for any person or any educational institution, or any owner, superintendent, teacher, professor, manager, trustee, or officer thereof to:

(6) Communicate, publish, advertise, or represent that any of the courses, services, programs, facilities, lectures, affairs, or privileges are withheld from, or denied to, any person on a discriminatory basis, or that any person is unwelcome, objectionable, or unacceptable because of race, color, religion, national origin, ancestry, sex, [or] physical or mental disability[.], OR SEXUAL ORIENTATION.

(8) This section is subject to the exemptions based upon religious principles provided in Section 9(6) of this Article.

13. Same; health and welfare agencies.

It shall be an unlawful practice for any health and welfare agency, or owner, supervisor, staff person, director, manager, or officer thereof to:

(3) Communicate, publish, advertise or represent that any of the services, programs, benefits, facilities or privileges of any health or welfare agency are withheld from or denied to any person on a discriminatory basis, or that the patronage of any person is unwelcome, objectionable, or unacceptable because of race, color, religion, national origin, ancestry, sex, [or] physical or mental disability[.], OR SEXUAL ORIENTATION.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th day after the date of its enactment.

June 3, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 80

(Council No. 55)

AN ORDINANCE concerning

CITY PROPERTY - SALE

FOR the purpose of authorizing the Mayor and City Council of Baltimore to sell at either public or private sale all of the interest of the Mayor and City Council of Baltimore in and to a certain parcel of land and improvements located at 1600 Rutland Avenue, Baltimore, Maryland, said parcel of land and improvements being no longer needed for public use.

BY authority of

Article V - Comptroller

Section 5(b)

Baltimore City Charter (1964 Revision, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Comptroller of Baltimore City be and he is hereby authorized to sell at either public or private sale in accordance with Article V, Section 5(b) of the City Charter (1964 Revision, as amended), all of the interest of the Mayor and City Council of Baltimore in and to a certain parcel of land and improvements situate in Baltimore, Maryland, and described as follows: 1600 Rutland Avenue (Block 1466, Lot 27/72), formerly known as School #149, containing 82,240 square feet of land, more or less, said properties being no longer needed for public use.

SEC. 2. AND BE IT FURTHER ORDAINED, That no deed or deeds shall pass in accordance herewith until the same shall have been first approved by the City Solicitor.

SEC. 3. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

June 15, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 81

(Council No. 107)

AN ORDINANCE concerning

ZONING - APPROVAL FOR CONDITIONAL USE
HOUSING FOR THE ELDERLY

FOR the purpose of granting permission for the establishment, maintenance and operation of housing for the elderly for a maximum of 12 people on the property known as 4604 Maine Avenue, as outlined in red on the plats accompanying this ordinance.

BY authority of
Article 30 - Zoning
Sections 4.4-1d and 11.0-6d
Baltimore City Code (1983 Replacement Volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission is hereby granted for the establishment, maintenance and operation of housing for the elderly for a maximum of 12 people on the property 4604 Maine Avenue, as outlined in red on the plats accompanying this ordinance, under the provisions of Sections 4.4-1d and 11.0-6d Article 30 of the Baltimore City Code (1983 Replacement Volume, as amended) title "Zoning".

SEC. 2. AND BE IT FURTHER ORDAINED, That upon passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof and in order to give notice to the departments which are administering the Zoning Ordinance, the President of the City Council shall sign the plat and when the Mayor approves the ordinance, he shall sign the plat. The Director of Finance shall then transmit a copy of the ordinance and one of the plats to the following: the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of the Department of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SEC. 3. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th day after the date of its enactment.

June 15, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 82

(Council No. 148)

AN ORDINANCE concerning

CITY STREET - CLOSING PARRISH STREET WITHIN
THE FRANKLIN SQUARE URBAN RENEWAL PROJECT

FOR the purpose of condemning and closing Parrish Street, 20 feet wide, extending from Saratoga Street, Southerly 112.5 feet to the south side of a 10 foot alley and lying within the area of the Franklin Square Urban Renewal Project in accordance with a plat thereof numbered 340-A-25E, prepared by the Surveys and Records Division and filed in the Office of the Department of Public Works, on the Twenty-sixth (26th) day of February, 1988.

BY authority of

Article I - General Provisions

Section - 4

Article II - General Powers

Sections 2, 34, 35

Baltimore City Charter (1964 Revision, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works be, and it is hereby authorized and directed to condemn and close Parrish Street, 20 feet, and extending from Saratoga Street, Southerly 112.5 feet to the south side of a 10 foot alley and lying within the area of the Franklin Square Urban Renewal Project, the street hereby directed to be condemned for said closing being described as follows:

Beginning for the same at the point formed by the intersection of the west side of Parrish Street, 20 feet wide, and the south side of Saratoga Street, 60 feet wide, and running thence binding on the south side of said Saratoga Street, Easterly 20 feet to intersect the east side of said Parrish Street; thence binding on the east side of said Parrish Street, Southerly 112.5 feet to intersect the south side of an alley, 10 feet wide; thence binding on the line of the south side of said alley, if projected westerly, Westerly 20 feet to intersect the west side of said Parrish Street and thence binding on the west side of said Parrish Street, Northerly 112.5 feet to the place of beginning.

The said Parrish Street as directed to be condemned being more particularly described and referred to among the Land Records of Baltimore City and delineated and particularly shown on a plat numbered 340-A-25E which was filed in the Office of the Department of Public Works on the Twenty-sixth (26th) day of February, in the year 1988, and is now on file in said Office.

SEC. 2. AND BE IT FURTHER ORDAINED, That after said highway or highways shall have been closed under the provisions of this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, shall be and continue to be the property of the Mayor and City Council of Baltimore, in fee simple, until the use thereof shall be abandoned by the Mayor and City Council of Baltimore, and in the event that any person, firm or corporation shall desire to remove, alter or interfere therewith, such person, firm or corporation shall first obtain permission and permits therefor from the Mayor and City Council of Baltimore, and shall in the application for such permission and permits agree to pay all costs and charges of every kind and nature made necessary by such removal, alteration or interference.

SEC. 3. AND BE IT FURTHER ORDAINED, That no buildings or structures of any kind shall be constructed or erected in said portion of said highway or highways after the same shall have been closed under the provisions of this Ordinance until the subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, over which said buildings or structures are proposed to be constructed or erected shall have been abandoned or shall have been removed and relaid in accordance with the specifications and under the direction of the Director of Public Works of Baltimore City, and at the expense of the person or persons or body corporate desiring to erect such buildings or structures. Railroad tracks shall be taken to be "structures" within the meaning of this section.

SEC. 4. AND BE IT FURTHER ORDAINED, That after said highway or highways shall have been closed under the provisions of this Ordinance, all subsurface structures and appurtenances owned by any person, firm or corporation, other than the Mayor and City Council of Baltimore, shall upon notice from the Director of Public Works of Baltimore City, be promptly removed by and at the expense of the said owners.

SEC. 5. AND BE IT FURTHER ORDAINED, That on and after the closing of said highway or highways, the said Mayor and City Council of Baltimore, acting through its duly authorized representatives, shall, at all times, have access to said property and to all subsurface structures and appurtenances used by it therein, for the purposes of inspection, maintenance, repair, alteration, relocation and/or replacement, of any or all of said structures and appurtenances, and this without permission from or compensation to the owner or owners of said land.

SEC. 6. AND BE IT FURTHER ORDAINED, That the proceedings of said Department of Public Works with reference to the condemnation and closing of said Parrish Street and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1964 Revision) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SEC. 7. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

June 15, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 83

(Council No. 149)

AN ORDINANCE concerning

CITY STREET - OPENING PARRISH STREET WITHIN THE
FRANKLIN SQUARE URBAN RENEWAL PROJECT

FOR the purpose of condemning and opening Parrish Street, 20 feet wide, and extending from Saratoga Street, Southerly 112.5 feet to the south side of 10 foot alley and lying within the area of the Franklin Square Urban Renewal Project in accordance with a plat thereof numbered 340-A-25D, prepared by the Surveys and Records Division and filed in the Office of the Department of Public Works, on the Twenty-sixth (26th) day of February, 1988.

BY authority of

Article I - General Provisions

Section - 4

Article II - General Powers

Sections 2, 34, 35

Baltimore City Charter (1964 Revision, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works be, and it is hereby authorized and directed to condemn and open Parrish Street, 20 feet wide, and extending from Saratoga Street, Southerly 112.5 feet to the south side of a 10 foot alley and lying within the area of the Franklin Square Urban Renewal Project, the street hereby directed to be condemned for said opening being described as follows:

Beginning for the same at the point formed by the intersection of the west side of Parrish Street, 20 feet wide, and the south side of Saratoga Street, 60 feet wide, and running thence binding on the south side of said Saratoga Street, Easterly 20 feet to intersect the east side of said Parrish Street; thence binding on the east side of said Parrish Street, Southerly 112.5 feet to intersect the south side of an alley, 10 feet wide; thence binding on the line of the south side of said alley, if projected westerly, Westerly 20 feet to intersect the west side of said Parrish Street and thence binding on the west side of said Parrish Street, Northerly 112.5 feet to the place of beginning.

The said Parrish Street as directed to be condemned being more particularly described and referred to among the Land Records of Baltimore City and delineated and particularly shown on a plat numbered 340-A-25D which was filed in the Office of the Department of Public Works on the Twenty-sixth (26th) day of February, in the year 1988, and is now on file in said Office.

SEC. 2. AND BE IT FURTHER ORDAINED, That the proceedings of said Department of Public Works, with reference to the condemnation and opening of said Parrish Street and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1964 Revision) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SEC. 3. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

June 15, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 84

(Council No. 162)

AN ORDINANCE concerning

REZONING - 2400, 2610 BOSTON STREET,
2535, 2601-2619, 2621 HUDSON STREET

FOR the purpose of changing the zoning for the properties known as 2400, 2610 Boston Street, 2535, 2601-2619, 2621 Hudson Street from the M-3 Zoning District to the B-3-2 Zoning

Ord. No. 85

District, as outlined in red on the plat accompanying this ordinance.

BY amending Zoning District Maps

Sheets No. 67 and 68

Article 30

Baltimore City Code (1983 Replacement Volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sheets No. 67 and 68 of the Zoning District Maps of Article 30 of the Baltimore City Code (1983 Replacement Volume, as amended) title "Zoning" be and it is hereby amended by changing from the M-3 Zoning District to the B-3-2 Zoning District the properties known as 2400, 2610 Boston Street, 2535, 2601-2619, 2621 Hudson Street, as outlined in red on the plat accompanying this ordinance.

SEC. 2. AND BE IT FURTHER ORDAINED, That upon passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof and in order to give notice to the departments which are administering the Zoning Ordinance, the President of the City Council shall sign the plat and when the Mayor approves the ordinance, he shall sign the plat. The Director of Finance shall then transmit a copy of the ordinance and one of the plats to the following: the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of the Department of Housing and Community Development, the Supervisor of Assessments for Baltimore City and the Zoning Administrator.

SEC. 3. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th day after the date of its enactment.

June 15, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 85

(Council No. 163)

AN ORDINANCE concerning

ZONING - AMERICAN NATIONAL PLAZA -
PLANNED UNIT DEVELOPMENT

FOR the purpose of approving the application of Plaza Land Associates Limited Partnership, owner of the American National Plaza Property, being the property known as 2400 Boston Street, 2610 Boston Street, 2535 Hudson Street, 2601-2619 Hudson Street, and 2621 Hudson Street, which property is bounded generally by Hudson Street to the north, Boston Street to the southwest, and Lakewood Avenue and a parallel public alley to the east, consisting of approximately 9.3

acres, more or less, as outlined on the accompanying Exhibit A, "Existing Conditions", dated March 28, 1988, to designate the American National Plaza Property as a Planned Unit Development in accordance with Sections 12.0-1 through 12.0-6 of Article 30 of the Baltimore City Code (1983 Replacement Volume, as amended), and to approve the Development Plan for American National Plaza submitted by Plaza Land Associates Limited Partnership.

BY authority of

Article 30 - Zoning

Sections 12.0-1 through 12.0-6

Baltimore City Code (1983 Replacement Volume, as amended)

WHEREAS, Plaza Land Associates Limited Partnership is the owner of the property bounded generally by Hudson Street to the north, Boston Street to the southwest, and Lakewood Avenue and a parallel public alley to the east, consisting of approximately 9.3 acres, more or less; and

WHEREAS, on March 1 and March 21, 1988, representatives of Plaza Land Associates Limited Partnership met with the duly designated officer of the Planning Commission of Baltimore City to hold a Pre-Petition Conference to explain the scope and nature of the existing and proposed development on the property in order to institute proceedings to have the property designated a Planned Unit Development; and

WHEREAS, Together herewith, Plaza Land Associates Limited Partnership has formally applied to the City Council of Baltimore for designation of the property as a Planned Unit Development and has submitted the requisite Development Plan intended to satisfy requirements specified in Section 12.0-1 through 12.0-6 of Article 30 of the Baltimore City Code (1983 Replacement Volume, as amended); and

WHEREAS, Plaza Land Associates Limited Partnership, in requesting the introduction of this bill, signifies its intention to implement, execute, substantially complete and maintain the development of the property in accordance with the Development Plan; now, therefore,

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the application of Plaza Land Associates Limited Partnership, owner of the American National Plaza Property, being the property known as 2400 Boston Street, 2610 Boston Street, 2535 Hudson Street, 2601-2619 Hudson Street, and 2621 Hudson Street, which property is bounded generally by Hudson Street to the north, Boston Street to the southwest, and Lakewood Avenue and a parallel public alley to the east, consisting of approximately 9.3 acres, more or less, as outlined on the accompanying Exhibit A, "Existing Conditions", dated March 28, 1988, to designate the American National Plaza Property as a Planned Development in accordance with Sections 12.0-1 through 12.0-6 of Article 30 of the Baltimore City Code (1983 Replacement

Volume, as amended), be and is hereby approved.

SEC. 2. AND BE IT FURTHER ORDAINED, That the Development Plan submitted by Plaza Land Associates Limited Partnership, which Development Plan consists of a Development Plan Booklet entitled "Development Plan for American National Plaza, Baltimore, Maryland", dated March 28, 1988 (together with accompanying Exhibit A, "Existing Conditions", dated March 28, 1988; Exhibit B "Proposed Development", dated March 28, 1988; Exhibit C, "Site Model Photograph", dated March 28, 1988; Exhibit D, "Building Cross Sections", dated March 28, 1988; and Exhibit E, "Building Elevations", dated March 28, 1988), as attached to and made a part of this Ordinance, be and is hereby approved.

SEC. 3. AND BE IT FURTHER ORDAINED, That subsequent to the passage of this Ordinance by the City Council, all changes in the approved Development Plan for American National Plaza shall be reviewed and approved by the Planning Commission for insurance that such changes are consistent with this Ordinance.

SEC. 4. AND BE IT FURTHER ORDAINED, That upon passage of this Ordinance by the City Council, as evidence of the authenticity of the Development Plan that is a part hereof and in order to give notice to the departments that administer Article 30 of the Baltimore City Code (1983 Replacement Volume, as amended), the President of City Council shall sign the Development Plan, and when the Mayor approves this Ordinance, he shall sign the Development Plan. The Director of Finance shall then transmit a copy of this Ordinance and the Development Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the Department of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator of Baltimore City.

SEC. 5. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect from the date of its enactment.

June 15, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 86

(Council No. 123)

AN ORDINANCE concerning

PRESERVATION DISTRICT - MOUNT WASHINGTON

FOR the purpose of providing that the areas located within certain described boundaries shall be the Mount Washington Historical and Architectural Preservation District.

BY adding

Article 1 - Mayor, City Council, and Municipal Agencies
Subtitle - Commission for Historical and Architectural
Preservation

Section 40(rr)

Baltimore City Code (1983 Replacement Volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That section(s) of the Baltimore City Code (1983 Replacement Volume, as amended) be added, repealed, or amended, to read as follows:

ARTICLE 1 - MAYOR, CITY COUNCIL AND MUNICIPAL AGENCIES

Commission for Historical and Architectural Preservation

40. Created, powers, duties.

(RR) THE AREA LOCATED WITHIN THE BOUNDARIES SET FORTH IN THIS SUBSECTION IS HEREBY DECLARED TO BE THE MOUNT WASHINGTON HISTORICAL AND ARCHITECTURAL PRESERVATION DISTRICT:

DIXON HILL: BEGINNING FOR THE SAME AT THE POINT FORMED BY THE INTERSECTION OF THE NORTHERN BOUNDARY LINE OF BALTIMORE CITY AS ESTABLISHED IN 1918 AND THE CENTERLINE OF SMITH AVENUE, 45 FEET WIDE, AND RUNNING THENCE BINDING ON THE CENTERLINE OF SAID SMITH AVENUE, CROSSING KENWAY ROAD, SOUTHEASTERLY 560 FEET, MORE OR LESS, TO INTERSECT THE LINE OF THE NORTHWEST OUTLINE OF THE PROPERTY KNOWN AS NO. 6101 SMITH AVENUE, IF PROJECTED SOUTHWESTERLY; THENCE BINDING IN PART REVERSELY ON SAID LINE SO PROJECTED, IN PART ON THE NORTHWEST OUTLINE OF SAID PROPERTY, AN IN ALL, NORTHEASTERLY 219 FEET, MORE OR LESS; THENCE BINDING IN PART ON THE NORTHEAST OUTLINE OF SAID PROPERTY, IN PART ON THE LINE OF THE NORTHEAST OUTLINE OF SAID PROPERTY IF PROJECTED SOUTHEASTERLY, IN PART ON THE NORTHEAST OUTLINE OF THE PROPERTY KNOWN AS NO. 6019 SMITH AVENUE, AND IN ALL, SOUTHEASTERLY 217 FEET, MORE OR LESS; THENCE BINDING IN PART ON THE SOUTHEAST OUTLINE OF LAST SAID PROPERTY, IN PART ON THE LINE OF THE SOUTHEAST OUTLINE OF LAST SAID PROPERTY, IF PROJECTED SOUTHWESTERLY, AND IN ALL, SOUTHWESTERLY 203 FEET, MORE OR LESS, TO INTERSECT THE CENTERLINE OF SMITH AVENUE; THENCE BINDING ON THE CENTERLINE OF SMITH AVENUE, CROSSING TERRACE ROAD, THORNBURY ROAD AND REGENT ROAD, SOUTHEASTERLY 1607 FEET, MORE OR LESS, TO INTERSECT THE CENTERLINE OF GREELY ROAD, 50 FEET WIDE; THENCE BINDING ON THE CENTERLINE OF SAID GREELY ROAD, SOUTHEASTERLY 280 FEET, MORE OR LESS, TO INTERSECT THE CENTERLINE OF WESTERN RUN; THENCE BINDING ON THE CENTERLINE OF SAID WESTERN RUN, THE TWO FOLLOWING COURSES AND DISTANCES; NAMELY, WESTERLY 455 FEET, MORE OR LESS, AND SOUTHWESTERLY 110 FEET, MORE OR LESS, TO INTERSECT THE NORTHEAST SIDE OF LOCHLEA ROAD, 30 FEET WIDE; THENCE BINDING ON THE NORTHEAST SIDE OF SAID LOCHLEA ROAD, NORTHWESTERLY 20 FEET, MORE OR LESS, TO THE EAST OUTLINE OF THE PROPERTY KNOWN AS NO. 5801 LOCHLEA ROAD; THENCE BINDING ON THE EAST OUTLINE OF LAST SAID PROPERTY, NORTHERLY 125 FEET, MORE OR LESS; THENCE BINDING IN PART ON THE NORTHWEST AND NORTHEAST OUTLINES OF THE PROPERTIES

KNOWN AS NOS. 5801 THROUGH AND INCLUDING 5815 LOCHLEA ROAD, IN PART ON THE LINE OF THE NORTHEAST OUTLINE OF THE PROPERTY KNOWN AS NO. 5815 LOCHLEA ROAD, IF PROJECTED NORTHWESTERLY, AND IN ALL, BY A LINE CURVING TO THE RIGHT, CROSSING FAIRBANK ROAD, NORTHWESTERLY 389 FEET, MORE OR LESS, TO INTERSECT THE NORTHWEST SIDE OF FAIRBANK ROAD, 30 FEET WIDE; THENCE BINDING ON THE NORTHWEST SIDE OF SAID FAIRBANK ROAD, NORTHEASTERLY 120 FEET, MORE OR LESS, TO INTERSECT THE SOUTHWEST SIDE OF REGENT ROAD, 30 FEET WIDE; THENCE BINDING ON THE SOUTHWEST SIDE OF SAID REGENT ROAD, NORTHWESTERLY 92 FEET, MORE OR LESS, TO INTERSECT THE LINE OF THE SOUTHEAST OUTLINE OF THE PROPERTY KNOWN AS NO. 1712 REGENT ROAD, IF PROJECTED SOUTHWESTERLY; THENCE BINDING IN PART REVERSELY ON LAST SAID LINE SO PROJECTED, IN PART ON THE SOUTHEAST OUTLINE OF LAST SAID PROPERTY, AND IN ALL, CROSSING REGENT ROAD, NORTHEASTERLY 160 FEET, MORE OR LESS; THENCE BINDING IN PART ON THE NORTHEAST OUTLINE OF LAST SAID PROPERTY IN PART ON THE NORTHEAST OUTLINE OF THE PROPERTY KNOWN AS NO. 1801 THORNBURY ROAD, AND IN ALL, NORTHWESTERLY 348 FEET, MORE OR LESS; THENCE BINDING ON A SOUTHEAST OUTLINE OF LAST SAID PROPERTY, NORTHEASTERLY 25 FEET, MORE OR LESS TO INTERSECT THE SOUTH SIDE OF THORNBURY ROAD, 30 FEET WIDE; THENCE BINDING ON THE SOUTH SIDE OF SAID THORNBURY ROAD, WESTERLY 255 FEET, MORE OR LESS, TO THE EAST OUTLINE OF THE PROPERTY KNOWN AS NO. 1809 THORNBURY ROAD; THENCE BINDING ON THE EAST OUTLINE OF LAST SAID PROPERTY, SOUTHERLY 218 FEET, MORE OR LESS; THENCE BINDING ON THE SOUTHWEST OUTLINE OF LAST SAID PROPERTY, NORTHWESTERLY 190 FEET, MORE OR LESS, TO INTERSECT THE SOUTHEAST SIDE OF SAID THORNBURY ROAD; THENCE BINDING ON THE SOUTHEAST SIDE OF SAID THORNBURY ROAD, SOUTHWESTERLY 188 FEET, MORE OR LESS, TO THE NORTHEAST OUTLINE OF THE PROPERTY KNOWN AS NO. 1815 THORNBURY ROAD; THENCE BINDING ON THE NORTHEAST AND EAST OUTLINES OF LAST SAID PROPERTY THE TWO FOLLOWING COURSES AND DISTANCES; NAMELY, SOUTHEASTERLY 130 FEET, MORE OR LESS, AND SOUTHERLY 272 FEET, MORE OR LESS; THENCE BINDING IN PART ON THE SOUTHWEST OUTLINE OF LAST SAID PROPERTY, IN PART ON THE SOUTHWEST OUTLINE OF THE PROPERTY KNOWN AS NO 1901 DIXON ROAD, AND IN ALL, NORTHWESTERLY 349 FEET, MORE OR LESS; THENCE BY A STRAIGHT LINE, SOUTHWESTERLY 261 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF LOT 1 OF BLOCK 4652-E; THENCE BINDING IN PART ON THE SOUTHWEST OUTLINE OF LOT 1 OF BLOCK 4652-E, IN PART ON THE SOUTHWEST OUTLINE OF THE PROPERTY KNOWN AS NO. 6104 MAYWOOD AVENUE, AND IN ALL, NORTHWESTERLY 488 FEET, MORE OR LESS; THENCE BINDING ON THE WEST OUTLINES OF THE PROPERTIES KNOWN AS NOS. 6104 THROUGH AND INCLUDING 6112 MAYWOOD AVENUE, LOT 27 OF BLOCK 4652-E, NO. 6211 GERNAND ROAD AND NO. 1810 WALNUT ROAD, AND CROSSING GERNAND ROAD, NORTHERLY 1450 FEET, MORE OR LESS; THENCE BINDING ON THE SOUTHWEST OUTLINE OF THE PROPERTY KNOWN AS NO. 1804 WALNUT ROAD, NORTHWESTERLY 140 FEET, MORE OR LESS, TO INTERSECT SAID NORTHERN BOUNDARY LINE OF BALTIMORE CITY; THENCE BINDING ON SAID NORTHERN BOUNDARY LINE OF BALTIMORE, DUE EAST 630 FEET, MORE OR LESS, TO INTERSECT THE NORTHWEST OUTLINE OF THE PROPERTY KNOWN AS NO. 6202 SMITH AVENUE; THENCE BINDING ON THE NORTHWEST AND SOUTHWEST OUTLINES OF LAST SAID PROPERTY THE TWO FOLLOWING COURSES AND DISTANCES; NAMELY, SOUTHWESTERLY 36 FEET, MORE OR LESS, AND SOUTHEASTERLY 75 FEET, MORE OR LESS; THENCE BINDING IN PART ON THE SOUTHEAST OUTLINE OF LAST SAID PROPERTY,

IN PART ON THE LINE OF THE SOUTHEAST OUTLINE OF LAST SAID PROPERTY, IF PROJECTED NORTHEASTERLY AND IN ALL, NORTHEASTERLY 130 FEET, MORE OR LESS, TO INTERSECT SAID NORTHERN BOUNDARY LINE OF BALTIMORE CITY, AND THENCE BINDING ON SAID NORTHERN BOUNDARY LINE OF BALTIMORE CITY, DUE EAST 20 FEET, MORE OR LESS, TO INTERSECT THE CENTERLINE OF SAID SMITH AVENUE, AT THE PLACE OF BEGINNING.

SOUTH ROAD. BEGINNING FOR THE SAME AT THE POINT FORMED BY THE INTERSECTION OF THE SOUTH SIDE OF KELLY AVENUE, 66 FEET WIDE AND THE NORTHWEST SIDE OF SULGRAVE AVENUE, 50 FEET WIDE, AND RUNNING THENCE BINDING ON THE SOUTH SIDE OF SAID KELLY AVENUE, CROSSING SULGRAVE AVENUE, EASTERLY 80 FEET, MORE OR LESS, TO THE SOUTHEAST SIDE OF SAID SULGRAVE AVENUE; THENCE BINDING ON THE SOUTHWEST SIDE OF SAID KELLY AVENUE THE TWO FOLLOWING COURSES AND DISTANCES; NAMELY, SOUTHEASTERLY 218.6 FEET AND SOUTHEASTERLY BY A LINE CURVING TO THE LEFT WITH A RADIUS OF 294.17 FEET THE DISTANCE OF 87.2 FEET; THENCE BINDING ON THE SOUTHWEST SIDE OF KELLY AVENUE, VARYING IN WIDTH, SOUTHEASTERLY 52.6 FEET TO INTERSECT THE NORTHWEST SIDE OF SOUTH ROAD, 30 FEET WIDE; THENCE BY A STRAIGHT LINE CROSSING SAID SOUTH ROAD, SOUTHEASTERLY 30 FEET, MORE OR LESS, TO THE NORTHEAST OUTLINE OF THE PROPERTY KNOWN AS NO. 1703 SOUTH ROAD; THENCE BINDING ON THE NORTHEAST AND SOUTHEAST OUTLINES OF SAID PROPERTY THE TWO FOLLOWING COURSES AND DISTANCES; NAMELY, SOUTHEASTERLY 466 FEET, MORE OR LESS, AND SOUTHWESTERLY 200 FEET, MORE OR LESS, TO INTERSECT THE NORTHEAST OUTLINE OF THE PROPERTY KNOWN AS NO. 1705/1707 SOUTH ROAD; THENCE BINDING ON THE NORTHEAST, SOUTH AND EAST OUTLINES OF LAST SAID PROPERTY THE THREE FOLLOWING COURSES AND DISTANCES; NAMELY, SOUTHEASTERLY 84 FEET, MORE OR LESS, WESTERLY 44 FEET, MORE OR LESS, AND SOUTHERLY 97 FEET, MORE OR LESS, TO INTERSECT THE NORTH OUTLINE OF THE PROPERTY KNOWN AS NO. 1708 W. ROGERS AVENUE; THENCE BINDING ON THE NORTH AND NORTHWEST OUTLINES OF LAST SAID PROPERTY IN A GENERALLY SOUTHWESTERLY DIRECTION 1,686 FEET, MORE OR LESS, TO INTERSECT THE NORTHEAST SIDE OF WILDWOOD LANE, 30 FEET WIDE; THENCE BINDING ON THE NORTHEAST SIDE OF SAID WILDWOOD LANE, SOUTHEASTERLY 169 FEET, MORE OR LESS, TO INTERSECT THE LINE OF THE SOUTHEAST OUTLINE OF THE PROPERTY KNOWN AS NO. 5602 WILDWOOD LANE, IF PROJECTED NORTHEASTERLY; THENCE BINDING IN PART REVERSELY ON SAID LINE SO PROJECTED, IN PART ON THE SOUTHEAST OUTLINE OF LAST SAID PROPERTY, AND IN ALL, CROSSING WILDWOOD LANE, SOUTHWESTERLY 229 FEET, MORE OR LESS; THENCE BINDING ON THE NORTHEAST, SOUTHEAST AND SOUTHWEST OUTLINES OF LAST SAID PROPERTY, THE THREE FOLLOWING COURSES AND DISTANCES; NAMELY, SOUTHEASTERLY 14 FEET, MORE OR LESS, SOUTHWESTERLY 75 FEET, MORE OR LESS, AND NORTHWESTERLY 62 FEET, MORE OR LESS; THENCE BINDING ON THE NORTHWEST OUTLINE OF THE PROPERTIES KNOWN AS NOS. 2008, 2010 AND 2012 W. ROGERS AVENUE, SOUTHWESTERLY 177 FEET, MORE OR LESS; THENCE BINDING ON THE WEST OUTLINE OF THE PROPERTY KNOWN AS NO. 2012 W. ROGERS AVENUE, SOUTHERLY 221 FEET, MORE OR LESS, TO INTERSECT THE NORTHEAST SIDE OF CARTERDALE ROAD, 50 FEET WIDE; THENCE BINDING ON THE NORTHEAST SIDE OF SAID CARTERDALE ROAD, NORTHWESTERLY BY A LINE CURVING TO THE RIGHT 625 FEET, MORE OR LESS, TO INTERSECT THE EAST SIDE OF SOUTH BEND ROAD; THENCE BINDING ON THE EAST SIDE OF SAID SOUTH BEND ROAD, IN A GENERALLY

NORTHERLY DIRECTION, 412 FEET, MORE OR LESS; THENCE CROSSING SOUTH BEND ROAD AND SOUTH ROAD, NORTHERLY 60 FEET, MORE OR LESS, TO THE WEST OUTLINE OF THE PROPERTY KNOWN AS NO. 2100 SOUTH ROAD; THENCE BINDING ON THE WEST OUTLINE OF LAST SAID PROPERTY, NORTHERLY 421 FEET, MORE OR LESS, TO INTERSECT THE SOUTHEAST SIDE OF SAID SULGRAVE AVENUE; THENCE BINDING ON THE SOUTHEAST SIDE OF SAID SULGRAVE AVENUE, NORTHEASTERLY 150 FEET, MORE OR LESS, TO INTERSECT THE LINE OF THE SOUTHWEST OUTLINE OF THE PROPERTY KNOWN AS NO. 2010 SULGRAVE AVENUE, IF PROJECTED SOUTHEASTERLY; THENCE BINDING IN PART REVERSELY ON LAST SAID LINE SO PROJECTED, IN PART ON THE SOUTHWEST OUTLINE OF LAST SAID PROPERTY, IN PART ON THE SOUTHWEST OUTLINE OF THE PROPERTY ADJOINING NO. 2010 SULGRAVE AVENUE ON THE NORTHWEST, AND IN ALL, CROSSING SULGRAVE AVENUE, NORTHWESTERLY 472 FEET, MORE OR LESS; THENCE BINDING IN PART ON THE NORTHWEST OUTLINE OF LAST SAID PROPERTY, IN PART ON THE NORTHWEST OUTLINE OF THE PROPERTY KNOWN AS NO. 2006 SULGRAVE AVENUE, AND IN ALL, NORTHEASTERLY 264 FEET, MORE OR LESS; THENCE BINDING ON THE NORTHEAST OUTLINE OF LAST SAID PROPERTY, SOUTHEASTERLY 9 FEET, MORE OR LESS; THENCE BINDING ON THE NORTHWEST AND NORTHEAST OUTLINES OF THE PROPERTY KNOWN AS NO. 2002 SULGRAVE AVENUE, THE TWO FOLLOWING COURSES AND DISTANCES; NAMELY, NORTHEASTERLY 200 FEET, MORE OR LESS, AND SOUTHEASTERLY 19 FEET, MORE OR LESS; THENCE BINDING ON THE NORTHWEST OUTLINES OF THE PROPERTIES KNOWN AS NO. 1918 THROUGH AND INCLUDING NO. 1904 SULGRAVE AVENUE, NORTHEASTERLY 504 FEET, MORE OR LESS; THENCE BINDING ON THE NORTHEAST OUTLINE OF THE PROPERTY KNOWN AS NO. 1904 SULGRAVE AVENUE, SOUTHEASTERLY 40 FEET, MORE OR LESS; THENCE BINDING ON THE SOUTH AND EAST OUTLINES OF THE PROPERTY KNOWN AS NO. 1901 KELLY AVENUE, THE TWO FOLLOWING COURSES AND DISTANCES; NAMELY, EASTERLY 44 FEET, MORE OR LESS, AND NORTHERLY 61 FEET, MORE OR LESS, TO INTERSECT THE SOUTH SIDE OF KELLY AVENUE; THENCE BINDING ON THE SOUTH AND SOUTHEAST SIDES OF LAST SAID KELLY AVENUE, CROSSING LOCHLEA ROAD, THE TWO FOLLOWING COURSES AND DISTANCES; NAMELY, EASTERLY BY A LINE CURVING TO THE LEFT WITH A RADIUS OF 551.99 FEET THE DISTANCE OF 474.8 FEET, MORE OR LESS, AND NORTHEASTERLY 242 FEET, MORE OR LESS, AND THENCE BINDING ON THE SOUTH SIDE OF KELLY AVENUE, 66 FEET WIDE, EASTERLY 379 FEET, MORE OR LESS, TO SULGRAVE AVENUE AT THE PLACE OF BEGINNING.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th day after the date of its enactment.

June 16, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 87

(Council No. 253)

AN ORDINANCE concerning

CITY STREET - CLOSING - SEWARD AVENUE

FOR the purpose of condemning and closing Seward Avenue, 50 feet wide, extending from Frankford Avenue, 60 feet wide, Westerly 525 feet, more or less, to the end thereof, in accordance with a plat thereof numbered 347-A-41 prepared by the Surveys and Records Division and filed in the Office of the Department of Public Works, on the Twenty-eighth (28th) day of April, 1988.

BY authority of

Article I - General Provisions

Section - 4

Article II - General Powers

Sections 2, 34, 35

Baltimore City Charter (1964 Revision, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works be, and it is hereby authorized and directed to condemn and close Seward Avenue, 50 feet wide, extending from Frankford Avenue, 60 feet wide, Westerly 525 feet, more or less, to the end thereof the street hereby directed to be condemned for said closing being described as follows:

Beginning for the same at the point formed by the intersection of the west side of Frankford Avenue, 60 feet wide and the north side of Seward Avenue, 50 feet wide, and running thence binding on the west side of said Frankford Avenue, South 08 -17'-20" East 50.1 feet, more or less, to intersect the south side of said Seward Avenue; thence binding on the south side of said Seward Street, Westerly 515 feet, more or less, to intersect the southwest outline of the whole tract of land shown on a plat entitled "Plat of Section 2 of Franklin" dated October, 1920 and recorded among the Land Records of Baltimore City in Liber S.C.L. No. 3681, Folio 303; thence binding on the southwest outline of said tract of land and on the westernmost extremity of said Seward Avenue, there situate, Northwesterly 52.4 feet, more or less, to the north side of said Seward Avenue, and thence binding on the north side of said Seward Avenue, Easterly 534 feet, more or less, to the place of beginning. The said Seward Avenue as directed to be condemned being more particularly described and referred to among the Land Records of Baltimore City and delineated and particularly shown on a plat numbered 347-A-41 which was filed in the Office of the Department of Public Works on the Twenty-eighth (28th) day of April in the year 1988, and is now on file in said Office.

SEC. 2. AND BE IT FURTHER ORDAINED, That after said highway or highways shall have been closed under the provisions of this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, shall be and continue to be the property of the Mayor and City Council of Baltimore, in fee simple, until the use thereof shall be abandoned by the Mayor and City Council of Baltimore, and in the event that any person, firm or corporation shall desire to remove, alter or interfere therewith, such person, firm or corporation shall first obtain permission and permits therefor from the Mayor and City Council of Baltimore, and shall in the application for such permission and permits agree to pay all costs and charges of every kind and nature made necessary by such removal, alteration or interference.

SEC. 3. AND BE IT FURTHER ORDAINED, That no buildings or structures of any kind shall be constructed or erected in said portion of said highway or highways after the same shall have been closed under the provisions of this Ordinance until the subsurface structures and appurtenances over which said buildings or structures are proposed to be constructed or erected shall have been abandoned or shall have been removed and relaid in accordance with the specifications and under the direction of the Director of Public Works of Baltimore City, and at the expense of the person or persons or body corporate desiring to erect such buildings or structures. Railroad tracks shall be taken to be "structures" within the meaning of this section.

SEC. 4. AND BE IT FURTHER ORDAINED, That on and after the closing of said highway or highways, the said Mayor and City Council of Baltimore, acting through its duly authorized representatives, shall, at all times, have access to said property and to subsurface structures and appurtenances used by it therein, for the purposes of inspection, maintenance, repair, alteration, relocation, and/or replacement, of any or all of said structures and appurtenances, and this without permission from or compensation to the owner or owners of said land.

SEC. 5. AND BE IT FURTHER ORDAINED, That the proceedings of said Department of Public Works with reference to the condemnation and closing of said Seward Avenue and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1964 Revision) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SEC. 6. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect on the date of its enactment.

June 16, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 88

(Council No. 35)

AN ORDINANCE concerning

URBAN RENEWAL-MARKET CENTER
AMENDMENT NO. 7

FOR the purpose of amending the Urban Renewal Plan for Market Center to: (1) permit ~~any~~ existing amusement arcades to continue such use ~~until-December-31,-1988~~ under certain conditions; (2) waive such requirements, if any, as to content or procedure for the preparation, adoption, and approval of renewal plans as set forth in Article 13 of the Baltimore City Code (1983 Replacement Volume, as amended) which the Renewal Plan for Market Center may not meet; (3) provide for the separability of the various parts and applications of this ordinance; (4) provide that where the provisions of this ordinance shall conflict with any other ordinance, code or regulation in force in the City of Baltimore, the provision which establishes the higher standard shall prevail; and (5) provide for an effective date thereof.

WHEREAS, An Urban Renewal Plan for Market Center, formerly known as the Retail District, was first approved by the Mayor and City Council of Baltimore by Ordinance No. 579, dated November 16, 1977, and last amended by Ordinance No. 860 dated December 23, 1986; and

WHEREAS, Pursuant to Article 13 of the Baltimore City Code (1983 Replacement Volume, as amended), no substantial change or changes shall be made in any renewal plan, after approval by ordinance, without such change or changes first being adopted and approved in the same manner as set forth in said Article 13 for the approval of a renewal plan, namely approval and adoption by an ordinance of the Mayor and City Council of Baltimore after a public hearing in relation thereto, all in the manner set forth in Article 13; and

WHEREAS, In accordance with the provisions of Section 25(h) of said Article 13, when a Council Member initiates an amendment to an existing renewal plan, such bill shall be sent to the Department of Housing and Community Development and to the Planning Commission for recommendation and report; now, therefore

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the amended Urban Renewal Plan for Market Center, identified as "Urban Renewal Plan, Market Center", having been duly reviewed and considered, is hereby approved, and the Clerk of the City Council is hereby directed to file a copy of said amended Renewal Plan with the Department of Legislative Reference as a permanent public record and make the same available for public inspection and information.

SEC. 2. AND BE IT FURTHER ORDAINED, That Section II C 1 of the Plan, entitled "Permitted Uses" is revised to permit any amusement arcade which ~~is in operation on the effective date of this ordinance to continue such use until December 31, 1988. No new amusement arcades shall be permitted within the project area~~ was legally operating as of June 18, 1984 shall be permitted to continue such use, as long as the operator complies with all ordinances, codes or regulations in force in the City of Baltimore, subject to the provisions listed below:

1. There shall be no more than 35 amusement arcade machines available for public use at any one time.
2. No amusement arcade machine shall be available for public use between 3:00 a.m. and 6:00 a.m.
3. Uniformed security personnel shall be on duty between 11:00 p.m. and 3:00 a.m. every Friday and Saturday evening that the amusement arcades machines are available for public use.

SEC. 3. AND BE IT FURTHER ORDAINED, That in whatever respect, if any, the said amended Renewal Plan approved hereby may not meet the requirements as to the content of a renewal plan or the procedures for the preparation, adoption, and approval of renewal plans, as provided in Article 13 of the Baltimore City Code (1983 Replacement Volume, as amended), the said requirements are hereby waived and the amended Renewal Plan approved hereby is exempted therefrom.

SEC. 4. AND BE IT FURTHER ORDAINED, That in the event it be judicially determined that any word, phrase, clause, sentence, paragraph, section or part in or of this ordinance, or the application thereof to any person or circumstances, is invalid, the remaining provisions and the application of such provisions to other persons or circumstances shall not be affected thereby, the Mayor and City Council hereby declaring that they would have ordained the remaining provisions of this ordinance without the word, phrase, clause, sentence, paragraph, section or part, or the application thereof so held invalid.

SEC. 5. AND BE IT FURTHER ORDAINED, That in any case where a provision of this ordinance concerns the same subject matter as an existing provision of any zoning, building, electrical, plumbing, health, fire or safety ordinance or code or regulation, the applicable provisions concerned shall be construed so as to

give effect to each; provided, however, that if such provisions are found to be in irreconcilable conflict, the provision which establishes the higher standard for the promotion of the public health and safety shall prevail. In any case where a provision of this ordinance is found to be in conflict with an existing provision of any other ordinance or code or regulation in force in the City of Baltimore which establishes a lower standard for the promotion and protection of the public health and safety, the provisions of this ordinance shall prevail, and the other existing provision of such other ordinance or code or regulation is hereby repealed to the extent that it may be found in conflict with this ordinance.

SEC. 6. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

June 27, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 89

(Council No. 39)

AN ORDINANCE concerning

ZONING - APPROVAL FOR CONDITIONAL USE
PARKING LOT IN THE PARKING LOT DISTRICT

FOR purpose of granting permission for the establishment, maintenance and operation of an open off-street parking area on the properties known as 301-313 E. Baltimore Street and 5-17 South Street as outlined in red on the plats accompanying this ordinance, subject to the condition that the permission is limited in time.

BY authority of

Article 30 - Zoning

Section(s) 9.0-3d and 11.0-6d

Baltimore City Code (1983 Replacement Volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission is hereby granted for the establishment, maintenance and operation of an open off-street parking area on the properties known as 301-313 E. Baltimore Street and 5-17 South Street as outlined in red on the plats accompanying this ordinance, under the provisions of Section(s) 9.0-3d and 11.0-6d of Article 30 of the Baltimore City Code (1983 Replacement Volume, as amended), title "Zoning", subject to the condition that the permission granted herein shall expire either 6 months after the date of enactment of this ordinance or, if the Commissioner of the Department of Housing and Community Development has for good cause granted 6 month extension, 12 months after the date of enactment of this ordinance.

SEC. 2. AND BE IT FURTHER ORDAINED, That upon passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof and in order to give notice to the departments which are administering the Zoning Ordinance, the President of the City Council shall sign the plat and when the Mayor approves the ordinance, he shall sign the plat. The Director of Finance shall then transmit a copy of the ordinance and one of the plats to the following: the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of the Department of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SEC. 3. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th day after the date of its enactment.

June 27, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 90

(Council No. 59)

AN ORDINANCE concerning

STREET ENCROACHMENT AT
81-89 W. MOSHER STREET

FOR the purpose of authorizing the construction and maintenance of steps occupying approximately 81 square feet of the public right-of-way at 81-89 W. Mosher Street.

By authority

Article 32 - Building Code

Section 507.2

Baltimore City Building Code (1985 Edition, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the construction and maintenance of concrete steps are hereby authorized on the property known as 81-89 W. Mosher Street. The steps shall occupy approximately 81 square feet of the public right-of-way. Except as specifically provided in this ordinance, all ordinances and rules and regulations of the Mayor and City Council of Baltimore shall be complied with in the construction and maintenance of these steps.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th day after the date of its enactment.

June 27, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 91

(Council No. 92)

AN ORDINANCE concerning

CITY PROPERTY - SALE

FOR the purpose of authorizing the Mayor and City Council of Baltimore to sell at either public or private sale all of the interest of the Mayor and City Council of Baltimore in and to a certain parcel of land and improvements located at 400 Millington Avenue, Baltimore, Maryland, said parcel of land and improvements being no longer needed for public use.

BY authority of
Article V - Comptroller
Section 5(b)
Baltimore City Charter (1964 Revision, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Comptroller of Baltimore City be and he is hereby authorized to sell at either public or private sale in accordance with Article V, Section 5(b) of the City Charter (1964 Revision, as amended), all of the interest of the Mayor and City Council of Baltimore in and to a certain parcel of land and improvements situate in Baltimore, Maryland, and described as follows:

400 Millington Avenue (Block 2141, Lot 51)
formerly known as School 68 Mill Hill Elementary

containing 44,137 square feet of land, more or less, said property being no longer needed for public use.

SEC. 2. AND BE IT FURTHER ORDAINED, That no deed or deeds shall pass in accordance herewith until the same shall have been first approved by the City Solicitor.

SEC. 3. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

June 27, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 92

(Council No. 93)

AN ORDINANCE concerning

CITY PROPERTY - SALE

FOR the purpose of authorizing the Mayor and City Council of Baltimore to sell at either public or private sale all of the interest of the Mayor and City Council of Baltimore in and to a certain parcel of land and improvements located at 1229 South Charles Street, Baltimore, Maryland, said parcel of land and improvements being no longer needed for public use.

BY authority of
Article V - Comptroller
Section 5(b)
Baltimore City Charter (1964 Revision, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Comptroller of Baltimore City be and he is hereby authorized to sell at either public or private sale in accordance with Article V, Section 5(b) of the City Charter (1964 Revision, as amended), all of the interest of the Mayor and City Council of Baltimore in and to a certain parcel of land and improvements situate in Baltimore, Maryland, and described as follows:

1229 South Charles Street (Block 965, Lot 12)
Formerly known as School 92
containing 18,547 square feet of land,
more or less

said property being no longer needed for public use.

SEC. 2. AND BE IT FURTHER ORDAINED, That no deed or deeds shall pass in accordance herewith until the same shall have been first approved by the City Solicitor.

SEC. 3. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

June 27, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 93

(Council No. 176)

AN ORDINANCE concerning

URBAN RENEWAL - RESERVOIR HILL - AMENDMENT NO. 9

FOR the purpose of amending the Urban Renewal Plan for Reservoir Hill to, among other things, authorize the acquisition of certain properties in the 2400 block of Linden Avenue and the 800 and 900 blocks of Whitelock Street by the Mayor and City Council of Baltimore; recommend the closing of a portion of Traction Street; provide that the procedures for the closing of a portion of said street will be regulated by applicable laws and regulations; create certain residential, public, and commercial disposition lots with corresponding standards and controls; approve certain land use changes and eliminate proposed pedestrian bridge over Druid Park Lake Drive; revise commercial land use categories to conform to existing zoning classifications and create the Community Business land use category; recommend a zoning district change for the rear portion of 2405 Linden Avenue and provide that the approval of this Ordinance shall not be construed as an enactment of said zoning change; approve rehabilitation standards for the Whitelock Street Commercial District and provide penalties for violating these standards; revise sign, zoning, lead base paint, and sandblasting provisions; add or revise Appendices and Exhibits attached to the Urban Renewal Plan to reflect the changes provided herein; waive such requirements, if any, as to content or procedure for the preparation, adoption, and approval of renewal plans as set forth in Article 13 of the Baltimore City Code which the amended Plan may not meet; provide for the separability of the various parts and applications of this Ordinance; provide that where the provisions of this Ordinance shall conflict with any other ordinance in force in the City of Baltimore, the provision which establishes the higher standard shall prevail; and provide for an effective date hereof.

WHEREAS, An Urban Renewal Plan for Reservoir Hill was originally approved by the Mayor and City Council of Baltimore by Ordinance No. 33, dated April 10, 1972 and amended by Ordinance 316, dated May 3, 1973; Ordinance 735, dated October 17, 1974; Ordinance 839, dated March 31, 1975; Ordinance 59, dated June 11, 1976; Ordinance 695, dated April 17, 1978; Ordinance 1054, dated June 18, 1979; Ordinance 60, dated June 2, 1980; and Ordinance 1013, dated July 2, 1987; and

WHEREAS, It is necessary to amend the Urban Renewal Plan for Reservoir Hill to acquire blighting properties and approve mandatory exterior rehabilitation standards to revitalize the Whitelock Street Commercial District; change the land use and recommend rezoning of the rear portion of 2405 Linden Avenue to

permit new commercial development; recommend the closing of a portion of Traction Street to create a landscaped open space area at the request of the Upper Eutaw Madison Community Association; change permitted land use categories to more closely conform to existing zoning classification; eliminate the proposed pedestrian bridge over Druid Park Lake Drive because of prohibitive cost and its infeasible location; and revise Plan provisions of zoning, signs, lead base paint, and sandblasting to reflect developments since the last comprehensive Plan amendment in 1980; and

WHEREAS, Pursuant to Article 13 of the Baltimore City Code (1983 Replacement Volume, as amended), no substantial change or changes shall be made in any renewal plan, after approval by ordinance, without such change or changes first being adopted and approved in the same manner as set forth in said Article 13 for the approval of a renewal plan, namely the preparation of such change or changes by the Department of Housing and Community Development, the approval of such change or changes by the Director of the Department of Planning, and approval and adoption by an ordinance of the Mayor and City Council of Baltimore after a public hearing in relation thereto, all in the manner set forth in said Article 13; and

WHEREAS, Extensive changes in the Urban Renewal Plan for Reservoir Hill make it infeasible to make line-by-line changes; therefore, the Department of Housing and Community Development has prepared an amended Urban Renewal Plan for Reservoir Hill; and

WHEREAS, Said amended Urban Renewal Plan has been approved by the Director to the Department of Planning with respect to its conformity as to the Master Plan, the detailed location of any public improvements proposed in the amended Renewal Plan, its conformity to the rules and regulations for subdivisions, and all zoning changes proposed in the amended Renewal Plan; and said amended Urban Renewal Plan has been approved and recommended to the Mayor and City Council of Baltimore by the Commissioner of the Department of Housing and Community Development; now, therefore,

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the amended Urban Renewal Plan for Reservoir Hill, identified as "Urban Renewal Plan, Reservoir Hill . . . revised to include Amendment No. 9, dated March 4, 1988", having been duly reviewed and considered, is hereby approved and the Clerk of the City Council is hereby directed to file a copy of said amended Urban Renewal Plan with the Department of Legislative Reference as a permanent public record and to make the same available for public inspection and information.

SEC. 2. AND BE IT FURTHER ORDAINED, That it is necessary to acquire, by purchase or by condemnation, for urban renewal purposes, the fee simple interest or any lesser interest in and to certain properties or portions thereof, together with all right, title, interest and estate that the owner or owners of

said property interests may have in all streets, alleys, ways or lanes, public or private, both abutting the whole area described and/or contained within the perimeter of said area, situate in Baltimore City, Maryland, and described as follows:

2401 Linden Avenue
2405 Linden Avenue (rear portion only)
833 Whitelock Street
910 Whitelock Street
912 Whitelock Street
914 Whitelock Street
917 Whitelock Street

SEC. 3. AND BE IT FURTHER ORDAINED, That the Real Estate Acquisition Division of the Department of the Comptroller, or such person or persons and in such manner as the Board of Estimates, in the exercise of the power vested in it by Article V, Section 5, of the Baltimore City Charter, may hereafter from time to time designate, its or are authorized to acquire on behalf of the Mayor and City Council of Baltimore and for the purposes described in this Ordinance, the fee simple interest or any lesser interest in and to the properties or portions thereof hereinabove mentioned. If the said Division, person or persons is or are unable to agree with the owner or owners on the purchase price for said properties or portions thereof, it or they shall forthwith notify the City Solicitor of Baltimore City, who shall thereupon institute in the name of the Mayor and City Council of Baltimore the necessary legal proceedings to acquire by condemnation the fee simple interest or any lesser interest in and to said properties or portions thereof.

SEC. 4. AND BE IT FURTHER ORDAINED, That it is hereby recommended that a portion of Traction Street between Madison Avenue and McCulloh Street be closed to create a public landscaped area - as shown on Exhibit 3 - Land Disposition, dated as revised 3/4/88.

SEC. 5. AND BE IT FURTHER ORDAINED, That the proceedings of the Department of Public Works, with reference to the closing of a portion of Traction Street and proceedings and rights of all parties interested or affected thereby shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1964 Revision) as amended to July 1, 1973 and any and all amendments thereto, and any and all ordinances of the Mayor and City Council, and any and all rules or regulations in effect which have been adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SEC. 6. AND BE IT FURTHER ORDAINED, That the newly created disposition lots for residential rehabilitation, public, and commercial use and corresponding standards and controls are hereby approved - as shown in B.2.a.(4) - Provisions Applicable

to Land and Property to be Acquired for Clearance and Redevelopment, Appendix B - Scattered Properties for Acquisition and Disposition for Rehabilitation and on Exhibit 3, Land Disposition Map, dated as revised 3/4/88.

SEC. 7. AND BE IT FURTHER ORDAINED, That the changes to the land use of certain properties and the elimination of the designation of the proposed pedestrian bridge over Druid Park Lake Drive as shown on Exhibit 1 - General Land Use Plan, dated as revised 3/4/88 - are hereby approved.

SEC. 8. AND BE IT FURTHER ORDAINED, That the changes to the titles of the various permitted commercial land use categories and the addition of a new land use category "Community Business" to apply to properties generally along North Avenue between Jordon and McCulloh Streets - as shown in the amended Urban Renewal Plan in Section B.1 and on Exhibit 1 - General Land Use Plan, dated as revised 3/4/88 - are hereby approved.

SEC. 9. AND BE IT FURTHER ORDAINED, That the approval of Amendment No. 9 to the Urban Renewal Plan for Reservoir Hill shall not be construed as an enactment of the amendment to the Zoning Ordinance of Baltimore City that is proposed for the rear portion of 2405 Linden Avenue - as shown in the amended Urban Renewal Plan on Exhibit 4 - Zoning Districts, dated as revised 3/4/88.

SEC. 10. AND BE IT FURTHER ORDAINED, That over and above the codes and ordinances of the City of Baltimore, the following additional standards shall be applied to all properties, whether occupied or vacant, in the Whitelock Street Commercial District, which comprises the properties at 2401 Linden Avenue and 907 through 925/27 and 930 through 960 Whitelock Street:

A. Building Fronts and Sides Abutting Streets

1. All defective structural and decorative elements of building fronts and sides abutting streets shall be repaired or replaced in workmanlike manner. All damaged, sagging or otherwise deteriorated storefronts, show windows, or entrances shall be repaired or replaced.
2. All brick or natural stone walls shall be cleaned, repaired, and repointed as required. All stucco surfaces shall be cleaned and repaired. New stucco surfaces shall have a sand texture, the color of which shall be a color compatible with the colors of the neighboring structures.
3. In the case of front or side walls which have been wholly or partially resurfaced or built over with formstone, wood, glass veneer, or other materials, these surfacing materials shall be removed and the building front repaired. If restoration of the

original materials is determined by the Commissioner of the Department of Housing and Community Development to be infeasible, the front or side wall shall be improved in a manner acceptable to the Commissioner.

4. All miscellaneous elements on the exterior walls of the structures such as empty electrical boxes, conduits, pipes, unused sign brackets, etc. shall be removed.
5. Cornices, porches or other decorative architectural elements if they exist, shall be restored to their original design. The removal of cornice work without prompt replacement of similar design will not be permitted. New cornices, porches, or other decorative architectural elements shall be compatible with the design of the building.

B. Windows

1. All windows must be tight-fitting and have sashes of proper size and design. Sashes with rotten wood, broken joints, or broken or loose mullions or muntins shall be replaced. All broken and missing windows shall be replaced with glass or plexiglas. All exposed wood shall be repaired and painted.
2. Windows openings in upper floors of the front of the building shall not be filled or boarded up. Windows in unused areas of the upper floors may be backed by a solid surface on the inside of the glass. Window panes shall not be painted.
3. If it is necessary to close a window opening, sills and frames must be removed and the opening properly closed to match the material, design, and finish of the adjacent wall.

C. Storefronts

A storefront as a part of the building facade shall be defined to include the building face and the entrance area leading to the door, the door and the sidelights and transoms and all display platforms and devices including lighting and signing designed to be viewed from the public right-of-way and/or the areas visible to the public prior to entering the interior portion of the structure.

1. In cases where there are doorways and/or entrances to buildings that are not incorporated in the storefront, the character of the original doorway shall be preserved. Where possible, the original style of these doorways, including solid, paneled, wood doors, wood frames, brick or stone sills, transoms, and glazed sidelights, shall be incorporated into the design of the remodeled storefront.

2. Storm and screen doors shall be compatible with entrance doors.
3. Hardware visible from the outside shall be in character with the original hardware.
4. Any grilles, bars, and grates covering doors or windows shall be designed to be compatible with the design of the building and of the neighborhood structures.
5. Where steps or stoops are required, they shall be repaired or replaced to match the original design.
6. All extraneous and unused hardware, signing, and equipment shall be removed.
7. All broken, rotten, or damaged elements shall be removed and replaced with elements that are harmonious with the design of the building and with the neighborhood.
8. New storefronts that project beyond the original front lines of the stores are not permitted.
9. Awnings are permitted provided that they are constructed of soft, flame retardant material and are able to be compatible with the design of the building and with the neighborhood.
10. Grates, bars, and grilles shall be designed so as to be as inconspicuous as possible. They shall be kept painted and free of rust. In all cases they shall be kept open during the normal daylight business hours of the Commercial District, unless they are decorative stationary grilles. Non-metal grilles and screens shall be prohibited. Enclosures and housing for security grilles and screens shall be as inconspicuous as possible and shall be compatible with the design of the storefront.
11. Solid or permanently enclosed or covered shopfronts shall not be permitted. Where the window treatment of the first floor is to be modified, such that the window openings will be made smaller, these new openings shall not be smaller in size than the openings of the second or third floor windows of the subject structures.
12. All elements of the front of shops shall be harmonious and of integral design. The practice of "patching" or layering materials one on top of the other is not permitted. Damaged parts shall be replaced so as to be undetectable as a replacement part.

D. Signs and Exterior Lighting

- ~~1. Rooftop signs, signs above the parapet of the building, billboards or outdoor advertising signs painted or mounted on buildings shall not be permitted.~~
- 2 1. Flashing or moving signs other than barber poles shall not be permitted.
- 3 2. All lighting and electrical elements such as wires, conduits, junction boxes, transformers, ballasts, switches and panel boxes shall be concealed from view as much as possible.
- 4 3. Flat signs shall be placed parallel to the building face and shall not project more than 12 inches from the surface of the building. Signs on the front and side facades shall not exceed in area three times the width in feet of the frontage of the building, and shall be placed no higher than the bottom of the second story window where windows exist or 13 feet above grade level, whichever is lower. In the case of corner properties, each facade is to be calculated separately as to size allowed for each.
- 5 4. Painted signs and cut-out letters shall be permitted in accordance with the above limits for flat signs.
- 6 5. Signs may be incorporated in the design of awnings included in the design of a storefront, provided such signs are compatible with both the design of the building and the awning.
- 7 6. All non-conforming signs except billboards, i.e. signs not conforming to the above requirements, shall be removed within three years from the date of enactment of Amendment of No. 9 of this Plan by the Mayor and City Council of Baltimore.
- 8 7. All minor privilege permits for existing signs shall be rescinded by the Board of Estimates to take effect 2 years from the date of enactment of Amendment No. 9 of this Plan. No future minor privilege permits for signs shall be approved in the Whitelock Street Commercial District except upon clarification by the Commissioner of the Department of Housing and Community Development that such signs meet project design criteria.

E. Color Schemes

All colors and color schemes used in the project area shall be harmonious with the designs of the buildings in the block face.

F. Rear Yards

1. Where a rear yard exists or is created through the demolition of structures, the yard shall be enclosed along the sides and rear property lines by a fence at least five feet, six inches in height.
2. All outdoor refuse storage areas shall be screened from view of adjacent properties and public rights-of-way. Screening shall consist of a masonry wall or durable fence or combination thereof. Refuse storage areas or dumpsters will not be permitted on Whitelock Street, Brookfield, or Linden Avenues within the Commercial District.

G. Roofs

1. All roof mounted signs and unused roof hardware visible from the street shall be removed.
2. Rooftop mechanical equipment shall be located far enough from the edge of the roof so that it cannot be seen from the sidewalk across the street. Functional equipment may be retained until major repair or replacement becomes necessary at which time it shall be removed from view.
3. All chimneys, elevator penthouses or other auxiliary structures on the roofs shall be clean and in good repair.
4. Flashing visible from the sidewalk must be neat and free of pitch. Visible flashing shall be painted to match the surface of the wall above it.
5. All gutters and rain water leaders must be in good condition. Painted metal, vinyl or stainless steel gutters and rain water leaders may be used.

H. Auxiliary Structures

Structures at the rears of buildings attached or unattached to the principal commercial structure which are structurally deficient, shall be properly repaired or demolished.

I. Off-Street Parking and Loading

1. New off-street parking areas shall be provided and screened as established in the Zoning Ordinance of Baltimore City, or in any lesser amount as may be authorized by the Board of Municipal and Zoning Appeals.

2. Loading and unloading shall be provided off Whitelock Street, Brookfield Avenue, and Linden Avenue where possible.

J. Period of Compliance

To the extent that rehabilitation requirements for commercial uses are specifically applicable to the Whitelock Street Commercial District and are not generally required elsewhere, the work necessary to meet such requirements shall be completed within 18 months from the effective date of the ordinance approving Amendment No. 9 to this Plan unless extended by the Commissioner of the Department of Housing and Community Development or unless specifically outlined elsewhere in this Plan. Thereafter all work shall be completed in accordance with the date of completion set forth in the notice from the Commissioner. No work, alterations, or improvements shall be undertaken after enactment of the ordinance approving Amendment No. 9 to this Plan which do not conform with the requirements herein. However, the Commissioner may waive compliance with one or more of these standards if the proposed improvements do not adversely affect the objectives of this Plan. Nothing herein shall be construed to permit any sign, construction, alteration, change, repair, use of any other matter otherwise forbidden or restricted or controlled by any other public law.

K. Review of the Rehabilitation Plans

1. Designs for all improvements, modifications, repair, rehabilitation or painting concerning the exterior of the existing building, its yards or its show windows, and for all signs and new construction shall be submitted to the Commissioner of the Department of Housing and Community Development and written approval by the Department shall be required before proceeding with the work. It shall be the responsibility of the property owner or an authorized agent to secure all necessary permits in order to undertake the proposed work.
2. The Commissioner of the Department of Housing and Community Development shall be concerned with all aspects of the designs affecting the exterior appearance of the properties and in particular with the following:
 - a. colors to be used on buildings and signs.
 - b. design of show windows and entrance area, including choice of materials and types of security devices.
 - c. conditioning of rear yard spaces and location of delivery signs.

d. all exterior materials and colors.

e. design of awnings, shutters, and upper floor windows, if any.

f. compatibility of new construction as to scale,color, materials and signing.

SEC. 11. AND BE IT FURTHER ORDAINED, That any person guilty of violating the provisions contained in Section 10 of this Ordinance shall be guilty of a misdemeanor and shall be subject to a fine not exceeding One Hundred Dollars (\$100.00) and that each day's violation shall constitute a separate offense.

SEC. 12. AND BE IT FURTHER ORDAINED, That the revisions to the provisions regarding signs applicable to all disposition lots to delete requirements relating to content of signs - as shown in Section B.2.a (1)(c) of the amended Urban Renewal Plan - are hereby approved.

SEC. 13. AND BE IT FURTHER ORDAINED, That the revised language contained in the amended Urban Renewal Plan under Section C.6., entitled "Zoning," which clarifies the procedural requirements of the Zoning Ordinance of Baltimore City, is hereby approved.

SEC. 14. AND BE IT FURTHER ORDAINED, That the provision on lead base paint in Appendix A Property Rehabilitation Standards shall be revised; therefore, Section 6, paragraph (c) of Ordinance 33, dated April 10, 1972 shall be amended to read as follows:

"(c) [All lead base paint shall be removed from interior surfaces of dwellings before repainting. Good repair shall include keeping properly painted all interior surfaces which are painted in normal practice.] ALL PAINTED INTERIOR AND EXTERIOR SURFACES SHALL BE KEPT IN GOOD REPAIR WHICH SHALL INCLUDE KEEPING PROPERLY PAINTED ALL INTERIOR AND EXTERIOR SURFACES WHICH ARE PAINTED IN NORMAL PRACTICE. WHEN REMOVING PAINT, REPAIRING OR DOING REHABILITATION WORK THAT IMPACTS UPON PAINTED SURFACES, ALL APPLICABLE CITY, STATE AND FEDERAL REGULATIONS REGARDING THE ABATEMENT OF LEAD BASED PAINT HAZARDS SHALL BE FOLLOWED."

SEC. 15. AND BE IT FURTHER ORDAINED, That the provisions prohibiting sandblasting of masonry facades in Appendix A Property Rehabilitation Standards shall be revised; therefore Section 4 of Ordinance 60, dated June 2, 1980 shall be amended to read as follows:

"SEC. 4. AND BE IT FURTHER ORDAINED, That the cleaning of masonry facades on all properties in the Reservoir Hill area by means of sandblasting shall not be

permitted, EXCEPT WHERE SANDBLASTING IS DETERMINED BY THE COMMISSIONER OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT TO BE THE ONLY FEASIBLE MEANS OF SURFACE CLEANING AND WHERE, IN THE COMMISSIONER'S OPINION, IT WILL NOT CAUSE DAMAGE TO HISTORIC BUILDING MATERIALS."

SEC. 16. AND BE IT FURTHER ORDAINED, That a new appendix entitled "Appendix C - Whitelock Street Commercial District Properties and Exterior Rehabilitation Standards" shall be added to said amended Renewal Plan and the following revised Appendices and Exhibits contained in said amended Renewal Plan are hereby approved: Appendix A - Property Rehabilitation Standards, Appendix B - Scattered Properties for Acquisition and Disposition for Rehabilitation, Exhibit 1 - General Land Use Plan, Exhibit 2 - Property Acquisition, Exhibit 3 - Land Disposition, and Exhibit 4 - Zoning Districts, all dated as revised 3/4/88.

SEC. 17. AND BE IT FURTHER ORDAINED, That in whatever respect, if any, the said amended Renewal Plan approved hereby may not meet the requirements as to the content of a renewal plan or the procedures for the preparation, adoption, and approval of renewal plans, as provided in Article 13 of the Baltimore City Code (1983 Replacement Volume, as amended), the said requirements are hereby waived and the amended Renewal Plan approved hereby is exempted therefrom.

SEC. 18. AND BE IT FURTHER ORDAINED, That in the event it be judicially determined that any word, phrase, clause, sentence, paragraph, section or part in or of this Ordinance, or the application thereof to any person or circumstances is invalid, the remaining provisions and the application of such provisions to other persons or circumstances shall not be affected thereby, the Mayor and City Council hereby declaring that they would have ordained the remaining provisions of this ordinance without the word, phrase, clause, sentence, paragraph, section or part, or the application thereof so held invalid.

SEC. 19. AND BE IT FURTHER ORDAINED, That in any case where a provision of this Ordinance concerns the same subject matter as an existing provisions of any zoning, building, electrical, plumbing, health, fire or safety ordinance or code or regulation, the applicable provisions concerned shall be construed so as to give effect to each; provided, however, that if such provisions are found to be in irreconcilable conflict, the provision which establishes the higher standard for the promotion of the public health and safety shall prevail. In any case where a provision of this Ordinance is found to be in conflict with an existing provisions of any other ordinance or code or regulation in force in the City of Baltimore which establishes a lower standard for the promotion and protection of the public health and safety, the provision of this Ordinance shall prevail, and the other existing provision of such other ordinance or code or regulation is hereby repealed to the extent that it may be found in conflict with this Ordinance.

Ord. No. 94

SEC. 20. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect on the date of its enactment.

June 27, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 94

(Council No. 179)

AN ORDINANCE concerning

REZONING - SUBMERGED LAND REAR OF 2201-2313 BOSTON STREET

FOR the purpose of changing the zoning for the properties known as the area above the submerged land in rear of 2201-2313 Boston Street from the M-3 Zoning District to the B-1-3 Zoning District, as outlined in red on the plats accompanying this ordinance.

BY amending Zoning District Maps

Sheet Nos. 57 and 67

Article 30 - Zoning

Baltimore City Code (1983 Replacement Volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sheet Nos. 57 and 67 of the Zoning District Maps of Article 30 of the Baltimore City Code (1983 Replacement Volume, as amended) title "Zoning" be and it is hereby amended by changing from the M-3 Zoning District to the B-1-3 Zoning District the properties known as the area above the submerged land in rear of 2201-2313 Boston Street, as outlined in red on the plats accompanying this ordinance.

SEC. 2. AND BE IT FURTHER ORDAINED, That upon passage of this ordinance by the City Council, as evidence of the authenticity of the plats which are a part hereof and in order to give notice to the departments which are administering the Zoning Ordinance, the President of the City Council shall sign the plats and when the Mayor approves the ordinance, he shall sign the plats. The Director of Finance shall then transmit a copy of the ordinance and one of the plats to the following: the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of the Department of Housing and Community Development, the Supervisor of Assessments for Baltimore City and the Zoning Administrator.

SEC. 3. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th day after the date of its enactment.

June 27, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 95

(Council No. 180)

AN ORDINANCE concerning

REZONING - 2201-2225 BOSTON STREET

FOR the purpose of changing the zoning for the properties known as 2201-2225 Boston Street from the M-3 Zoning District to the B-1-3 Zoning District, as outlined in red on the plat accompanying this ordinance.

BY amending Zoning District Maps

Sheet Nos. 57 and 67

Article 30 - Zoning

Baltimore City Code (1983 Replacement Volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sheet Nos. 57 and 67 of the Zoning District Maps of Article 30 of the Baltimore City Code (1983 Replacement Volume, as amended) title "Zoning" be and it is hereby amended by changing from the M-3 Zoning District to the B-1-3 Zoning District the properties known as 2201-2225 Boston Street, as outlined in red on the plats accompanying this ordinance.

SEC. 2. AND BE IT FURTHER ORDAINED, That upon passage of this ordinance by the City Council, as evidence of the authenticity of the plats which are a part hereof and in order to give notice to the departments which are administering the Zoning Ordinance, the President of the City Council shall sign the plats and when the Mayor approves the ordinance, he shall sign the plats. The Director of Finance shall then transmit a copy of the ordinance and one of the plats to the following: the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of the Department of Housing and Community Development, the Supervisor of Assessments for Baltimore City and the Zoning Administrator.

SEC. 3. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th after the date of its enactment.

June 27, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 96

(Council No. 181)

AN ORDINANCE concerning

REZONING - 2227-2313 BOSTON STREET

FOR the purpose of changing the zoning for the properties known

Ord. No. 97

as 2227-2313 Boston Street from the M-3 Zoning District to the B-2-3 Zoning District, as outlined in red on the plats accompanying this ordinance.

BY amending Zoning District Maps

Sheet Nos. 57 and 67

Article 30 - Zoning

Baltimore City Code (1983 Replacement Volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sheet Nos. 57 and 67 of the Zoning District Maps of Article 30 of the Baltimore City Code (1983 Replacement Volume, as amended) title "Zoning" be and it is hereby amended by changing from the M-3 Zoning District to the B-2-3 Zoning District the properties known as 2227-2313 Boston Street, as outlined in red on the plats accompanying this ordinance.

SEC. 2. AND BE IT FURTHER ORDAINED, That upon passage of this ordinance by the City Council, as evidence of the authenticity of the plats which are a part hereof and in order to give notice to the departments which are administering the Zoning Ordinance, the President of the City Council shall sign the plats and when the Mayor approves the ordinance, he shall sign the plats. The Director of Finance shall then transmit a copy of the ordinance and one of the plats to the following: the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of the Department of Housing and Community Development, the Supervisor of Assessments for Baltimore City and the Zoning Administrator.

SEC. 3. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th day after the date of its enactment.

June 27, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 97

(Council No. 183)

AN ORDINANCE concerning

ZONING - AMENDING A PARKING LOT ORDINANCE

FOR purpose of amending Ordinance 1226, approved December 3, 1979 by changing the condition under which permission was granted for the parking lot at 2700-2732 and 2640-2658 Mace Street.

BY authority of

Article 30 - Zoning

Section(s) 4.7-1d, 4.8-1d and 11.0-6d

Baltimore City Code (1983 Replacement Volume, as amended)

SECTION 1. Be it ordained by the Mayor and City Council of Baltimore, That Section 1 of Ordinance No. 1226, approved December 3, 1979, is hereby repealed and reordained with amendments to read as follows:

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission be and the same is hereby granted to the American National Red Cross, ITS SUCCESSORS AND ASSIGNS, for the establishment, maintenance and operation of an open area for the parking of motor vehicles on the properties known as 2700-2732 and 2640-2658 Mace Street, as outlined in red on the plats accompanying this ordinance, under the provisions of Sections 4.7-1d, 4.8-1d and 11.0-6d of Article 30 of the Baltimore City Code (1983 Replacement Volume, as amended), title "Zoning" concerning parking lot districts, subject to the conditions that the properties shall be used for parking ONLY BY THE OWNERS AND TENANTS (AND THEIR RESPECTIVE INVITEES) OF THE PROPERTIES GENERALLY KNOWN AS 2701-2709 AND 2715 N. CHARLES STREET [lots only as long as they are owned by the American National Red Cross] and that no vehicle over 5,000 pounds will park on the lots.

SEC. 2. And be it further ordained, That this ordinance shall take effect on the 30th day after the date of its enactment.

June 27, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 98

(Council No. 21)

AN ORDINANCE concerning

ZONING - PLANNED UNIT DEVELOPMENT
THE VILLAGES AT HOMELAND

FOR the purpose of approving the application of Homeland Acres Associates Limited Partnership, the owner of certain property located in Baltimore City at 401 Homeland Avenue and bounded generally by Homeland Avenue on the north, Notre Dame Lane on the south and Crowson Avenue on the east, said property consisting of approximately 9 acres, more or less, to have said property designated a Planned Unit Development in accordance with Sections 12.0-1 and 12.0-2 of Article 30 of the Baltimore City Code (1983 Replacement Volume, as amended) and to approve the Development Plan submitted by the Homeland Acres Associates Limited Partnership.

WHEREAS, On the 30th day of November, 1987, the Homeland Acres Associates Limited Partnership met with the Department of Planning of Baltimore City to hold a pre-petition conference to explain the scope and nature of proposed development (The Plan)

on the property in order to institute proceedings to have said property designated a Planned Unit Development; and

WHEREAS, Together herewith the Homeland Acres Associates Limited Partnership has made formal application to the City Council of Baltimore and, to satisfy the requirements specified in Sections 12.0-1 and 12.0-2 of Article 30 of the Baltimore City Code (1983 Replacement Volume, as amended), has submitted the requisite Development Plans, including the following: ~~Preliminary~~ Development Plan dated ~~October-27,-1987~~ June 8, 1988 by Whitman, Requardt & Associates; the ~~Preliminary~~ Elevations dated ~~December 37,-1987~~ June 7, 1988 as drawn by Ziger, Hoopes & Snead, Inc.; and the Landscape Plan dated ~~October-29,-1987~~ May 18, 1988 by Hord, Coplan & Macht, Inc.; now, therefore,

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the application of Homeland Acres Associates Limited Partnership to designate the property located in Baltimore City at 401 Homeland Avenue, and bounded generally by Homeland Avenue on the north, Notre Dame Lane on the south, and Crowson Avenue on the east, said property consisting of approximately 9 acres, more or less, as a Planned Unit Development in accordance with Sections 12.0-1 and 12.0-2 of Article 30 of the Baltimore City Code (1983 Replacement Volume, as amended), be and it is hereby approved.

SEC. 2. AND BE IT FURTHER ORDAINED, That the Development Plan submitted by Homeland Acres Associates Limited Partnership be and it is hereby approved by the City Council of Baltimore and is hereby made a part hereof.

SEC. 3. AND BE IT FURTHER ORDAINED, That subsequent to the passage of this ordinance by the City Council, all changes in the approved Development Plan for the development of the property shall be reviewed and approved by the Planning Commission, provided such changes are consistent with this ordinance.

SEC. 4. AND BE IT FURTHER ORDAINED, That upon passage of this ordinance by the City Council, as evidence of the authenticity of the Development Plan which is a part hereof and in order to give notice to the departments which are administering the Zoning Ordinance, the President of the City Council shall sign the Development Plan, and when the Mayor approves the ordinance, he shall sign the Development Plan. The Director of Finance shall then transmit a copy of the ordinance and the Development Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the Supervisor of Assessments for Baltimore City and the Zoning Administrator.

SEC. 5. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th day after the date of its enactment.

June 28, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 99

(Council No. 241)

AN Ordinance concerning

BALTIMORE CITY, MARYLAND
MARINE MIDLAND ADJUSTABLE RATE SERVICE (MMars)
1988 INDUSTRIAL DEVELOPMENT REVENUE BONDS, SERIES A
(C ASSOCIATES FACILITY)

FOR the purpose of supplementing and amending Ordinance No. 1183 of Mayor and City Council of Baltimore, approved by the Mayor on December 7, 1987, to increase the aggregate principal amount of Industrial Development Revenue Bonds to a sum not to exceed \$1,425,000.

By repealing and re-enacting, with amendments, Sections 3 and 12 of Ordinance No. 1183 of Mayor and City Council of Baltimore, approved December 7, 1987.

By repealing and re-enacting, with amendments, paragraph 6 of the RECITALS of Ordinance No. 1183 of Mayor and City Council of Baltimore, approved December 7, 1987.

RECITALS

WHEREAS, Mayor and City Council of Baltimore (the "City"), by Ordinance No. 1183 approved by the Mayor of the City on December 7, 1987 (the "Ordinance"), authorized and empowered the City to issue, sell, and deliver, at any time or from time to time and in one or more series, as limited obligations of the City and not upon its full faith and credit, its Baltimore City, Maryland, Industrial Development Revenue Bonds (C Associates Facility), in the aggregate principal amount not to exceed \$1,125,000 (the "Bonds"), subject to the provisions of the Ordinance, and to lend the proceeds thereof to C Associates, a Maryland general partnership (the "Borrower"), for the sole and exclusive purposes of financing the costs, charges, fees, and expenses in connection with the acquisition, improvement, and renovation of the properties situate at 1920 Benhill Avenue, Baltimore City, Maryland, and certain improvements and equipment in connection therewith, as a manufacturing facility (the "Project"); and

WHEREAS, the City has been advised by the Borrower that an increase in the aggregate principal amount of Industrial Development Revenue Bonds to a sum not to exceed \$1,425,000 is required; and

WHEREAS, the City had been advised by the Borrower that a technical correction is required to conform a reference in Paragraph 6 of the RECITALS of the Ordinance to the aggregate principal amount of Industrial Development Revenue Bonds to a sum not to exceed \$1,425,000; and

WHEREAS, the City has determined that the issuance and sale of the Bonds by the City pursuant to Subsection (50) of Article II of the Charter of Baltimore City (1964 Revision, as amended) (the "Enabling Law"), and the completion of the project and the financing thereof, as provided in the Ordinance, will promote the declared legislative purposes of the Enabling Law and are in the best interests of the citizens of Baltimore City, Maryland, and that in order to accomplish the public purposes of the Enabling Law and the Ordinance, it is in the best interests of the citizens of Baltimore City, Maryland, to correct the reference in Section 3 to increase the aggregate principal amount of Industrial Development Revenue Bonds to a sum not to exceed \$1,425,000.

NOW, THEREFORE, IN ACCORDANCE WITH THE ENABLING LAW;

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Section 3 of the Ordinance is hereby repealed, amended, and re-enacted as follows:

SEC. 3. AND BE IT FURTHER ORDAINED, That the City issue, sell and deliver the Bonds, at any time and from time to time and in one or more series, as limited obligations of the City and not upon its full faith and credit or pledge of its taxing power, in the aggregate principal amount not to exceed \$1,425,000, subject to the provisions of this Ordinance. The City, at the election of the Partnership, will either:

- (1) lend the proceeds of the Bonds of any series to the Partnership pursuant to the terms and provisions of a Loan Agreement, to be used by the Partnership for the sole and exclusive purpose of financing the costs (to the fullest extent permitted by the Enabling Law and the Act) of the acquisition of the Facility; or
- (2) use the proceeds of the Bonds of any series for the purpose of financing the costs (to the fullest extent permitted by the Act) of the acquisition of the Facility and, at the election of the Partnership, either (a) lease the Facility to the Partnership pursuant to the terms and provisions of a Lease, or (b) sell the Facility to the Partnership pursuant to the terms and provisions of a Sale Agreement.

Any Financing Agreement entered into with respect to the Bonds of any series will require that (1) the proceeds of the Bonds of such series be used solely to finance the costs (to the fullest extent permitted by the Enabling Law and the Act) of the acquisition of the Facility, and (2) the Partnership make payments which will be sufficient to enable the City to pay the principal of and interest and premium, if any, on the Bonds of such series when and as the same become due and payable.

The Facility is specified and described in the Recitals set forth above. The public purpose to be served by the financing of the costs (to the fullest extent permitted by the Enabling Law and the Act) of the acquisition of the Facility is described in Section 2 of this Ordinance, and the financing transaction is described in this Section and in the Recitals set forth above. The maximum principal amount of the Bonds that may be issued is \$1,425,000, provided that bond anticipation notes may be issued and sold as provided in Section 8 of this Ordinance.

SEC. 2. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Paragraph 6 of the RECITALS is hereby repealed, amended, and re-enacted as follows:

Mayor and City Council of the City have received a Letter of Intent from the Partnership pursuant to which the Partnership has requested the City to participate in the financing of the costs of the acquisition by the Partnership of the Facility by issuing the City's economic development revenue bonds in the aggregate principal amount not to exceed \$1,425,000 pursuant to and in accordance with the Enabling Law and the Act.

SEC. 3. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Section 12 of the Ordinance is hereby repealed, amended, and re-enacted as follows:

SEC. 12. AND BE IT FURTHER ORDAINED, That either the Bonds or bond anticipation notes issued pursuant to Section 8 of this Resolution in anticipation of the issuance of the Bonds must be issued and sold on or before six months from the date on which this Resolution is approved by the Mayor of the City; provided, however, that the Board of Finance of the City (the "Board"), after a showing of good cause at a public hearing held before the Board prior to or after the expiration of such period, may extend the period during which either the Bonds or such bond anticipation notes may be issued and sold for two additional terms not to exceed six months each from the date on which the initial period expired. The Board, in its sole discretion, and without action by the City Council, shall determine the sufficiency, or lack thereof, of the reasons presented for any requested extension of such period. If an extension is granted, notice of such extension and the reasons therefor must be sent to the City Council. To the extent that neither the Bonds nor such bond anticipation notes are issued and sold within the time periods set forth in this Section 12 from the date on which this Resolution is approved by the Mayor of the City, the authority provided in this Resolution for the City to issue and sell the Bonds and such bond anticipation notes shall expire.

Ord. No. 100

Resolution for the City to issue and sell the Bonds and such bond anticipation notes shall expire.

SEC. 4. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect on the 30th day after the date of its enactment.

June 30, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 100

(Council No. 260)

AN ORDINANCE concerning

ORDINANCE OF ESTIMATES FOR THE FISCAL YEAR ENDING JUNE 30, 1989

FOR the purpose of providing the appropriations estimated to be needed by each agency of the City of Baltimore for operating programs and capital projects during the fiscal 1989 year.

BY authority of

Article VI - Board of Estimates

Section 2

Baltimore City Charter (1964 Revision as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the following amounts or so much thereof as shall be sufficient are hereby appropriated subject to the provisions hereinafter set forth for the purpose of carrying out the programs included in the operating budget and the projects listed in the capital budget from the amounts estimated to be available in the designated funds during the fiscal year ending June 30, 1989:

A. OPERATING BUDGET

CIVIL SERVICE COMMISSION

160. Personnel Administration

General Fund Appropriation. \$--2,159,559

An internal service fund is hereby authorized to provide \$ 2,129,550
for the operation of the Unemployment Insurance function,
the costs of which are to be recovered from contributions
from various Fund sources.

COMMUNITY COLLEGE OF BALTIMORE

430. Institutional Support

Higher Education Fund Appropriation \$ 3,507,868

431. Instruction

Higher Education Fund Appropriation \$ 8,206,421
Federal Fund Appropriation. \$ 1,166,000
State Fund Appropriation. \$ 35,000

Special Fund Appropriation. \$ 230,000

432.	Operation and Maintenance of Plant		
	Higher Education Fund Appropriation	\$	2,680,488
433.	Student Services		
	Higher Education Fund Appropriation	\$	1,439,231
436.	General Fund Support		
	General Fund Appropriation.	\$	5,496,000
437.	Academic Support		
	Higher Education Fund Appropriation	\$	1,373,992
438.	Auxiliary Enterprises		
	Higher Education Fund Appropriation	\$	950,000
439.	Public Service - WBJC Radio Station		
	Higher Education Fund Appropriation	\$	810,000
440.	Scholarships and Fellowships		
	Higher Education Fund Appropriation	\$	100,000
	Federal Fund Appropriation.	\$	4,900,000

COMMUNITY RELATIONS COMMISSION

156.	Development of Intergroup Relations		
	General Fund Appropriation.	\$	1,008,233
	Federal Fund Appropriation.	\$	84,894

COMPTROLLER, DEPARTMENT OF

130.	Executive Direction and Control		
	General Fund Appropriation.	\$	279,931
131.	Audits		
	General Fund Appropriation.	\$	1,834,766
132.	Real Estate Acquisition and Management		
	General Fund Appropriation.	\$	517,598
133.	Municipal Telephone Exchange		
	An internal service fund is hereby authorized to provide for operation of a municipal telephone exchange, the costs of which are to be recovered from using agencies.		
135.	Insurance on City Facilities		
	General Fund Appropriation.	\$	45,158
136.	Municipal Post Office		
	An internal service fund is hereby authorized to provide for operation of a municipal post office, the costs of which are to be recovered from using agencies.		

Ord. No. 100

536.	Harbor Administration		
	General Fund Appropriation.	\$	161,433
596.	Management of Leased Properties		
	General Fund Appropriation.	\$	912,426

COUNCIL, CITY

100.	City Legislation		
	General Fund Appropriation.	\$	2,540,765

COUNCILMANIC SERVICES, OFFICE OF

103.	Councilmanic Services		
	General Fund Appropriation.	\$	323,253

COURTS

110.	Circuit Court for Baltimore City		
	General Fund Appropriation.	\$	5,846,620
	Federal Fund Appropriation.	\$	208,446
	State Fund Appropriation.	\$	590,259
112.	Orphans' Court		
	General Fund Appropriation.	\$	276,243

DISASTER CONTROL AND CIVIL DEFENSE, OFFICE OF

220.	Disaster Planning		
	General Fund Appropriation.	\$	0

EDUCATION, DEPARTMENT OF

700.	Administration		
	Education Fund Appropriation.	\$	2,074,052
701.	Staff Development		
	Education Fund Appropriation.	\$	27,378
	Federal Fund Appropriation.	\$	274,655
702.	Human Resources and Labor Relations Services		
	Education Fund Appropriation.	\$	2,130,011
	Federal Fund Appropriation.	\$	552,390
	State Fund Appropriation.	\$	165,281
703.	Planning Services		
	Education Fund Appropriation.	\$	1,737,597
	Federal Fund Appropriation.	\$	518,231

704.	Business Management Services		
	Education Fund Appropriation.	\$	2,227,587
	Federal Fund Appropriation.	\$	489,477
705.	Fiscal Management		
	Education Fund Appropriation.	\$	1,015,422
	Federal Fund Appropriation.	\$	420,608
706.	Data Processing		
	Education Fund Appropriation.	\$	2,917,074
	Federal Fund Appropriation.	\$	658,246
707.	Curriculum Management		
	Education Fund Appropriation.	\$	4,926,593
	Federal Fund Appropriation.	\$	381,635
	State Fund Appropriation.	\$	387,969
	Special Fund Appropriation.	\$	40,000
708.	General Instruction		
	Education Fund Appropriation.	\$	163,284,591
	Federal Fund Appropriation.	\$	27,592,314
	State Fund Appropriation.	\$	7,305,427
	Special Fund Appropriation.	\$	87,300
709.	Vocational Education Services		
	Education Fund Appropriation.	\$	11,847,672
	Federal Fund Appropriation.	\$	1,171,484
	State Fund Appropriation.	\$	670,611
710.	Adult and Community Schools		
	Education Fund Appropriation.	\$	1,017,537
	Federal Fund Appropriation.	\$	6,194
	State Fund Appropriation.	\$	192,613
	Special Fund Appropriation.	\$	92,500
711.	Gifted and Talented		
	Education Fund Appropriation.	\$	1,782,583
	Federal Fund Appropriation.	\$	76,639
712.	Other Instructional Services		
	Education Fund Appropriation.	\$	7,426,959
	Federal Fund Appropriation.	\$	768,401
	State Fund Appropriation.	\$	434,323
713.	Public Transportation		
	Education Fund Appropriation.	\$	6,477,997
	Motor Vehicle Fund Appropriation.	\$	3,000,000
	State Fund Appropriation.	\$	9,963,781
714.	Physical Plant Design and Management		
	Education Fund Appropriation.	\$	782,959
715.	Plant Operations		
	Education Fund Appropriation.	\$	40,262,126

Ord. No. 100

716.	Plant Maintenance		
	Education Fund Appropriation.	\$	11,674,028
717.	School Security Services		
	Education Fund Appropriation.	\$	6,896,672
718.	Food Services		
	Education Fund Appropriation.	\$	35,000
	Federal Fund Appropriation.	\$	13,332,991
	State Fund Appropriation.	\$	2,204,434
	Special Fund Appropriation.	\$	3,929,571
719.	Student Activities		
	Education Fund Appropriation.	\$	922,461
720.	Instructional Support Services		
	Education Fund Appropriation.	\$	3,618,928
	Federal Fund Appropriation.	\$	717,593
	State Fund Appropriation.	\$	189,719
721.	Special Education Instructional Support		
	Education Fund Appropriation.	\$	1,491,498
	Federal Fund Appropriation.	\$	2,088,426
722.	Special Education - Instruction		
	Education Fund Appropriation.	\$	64,489,442
	Federal Fund Appropriation.	\$	3,056,303
	State Fund Appropriation.	\$	185,000
	Special Fund Appropriation.	\$	16,000
723.	Vocational Services for Special Education		
	Education Fund Appropriation.	\$	1,896,416
	Federal Fund Appropriation.	\$	322,349
	State Fund Appropriation.	\$	71,589
724.	School Management		
	Education Fund Appropriation.	\$	878,827
	Federal Fund Appropriation.	\$	139,929
	State Fund Appropriation.	\$	35,870
725.	General Fund Support		
	General Fund Appropriation.	\$	149,322,172
	Education Fund Appropriation.	\$	133,100
726.	Alternative Education		
	Education Fund Appropriation.	\$	2,274,490
	Federal Fund Appropriation.	\$	314,355
	State Fund Appropriation.	\$	50,005

ELECTIONS, SUPERVISORS OF

180.	Voter Registration and Conduct of Elections		
	General Fund Appropriation.	\$	1,641,997

EMPLOYEES' RETIREMENT SYSTEMS, BOARDS OF TRUSTEES

152. Administration, Employees Retirement Systems	
Special Fund Appropriation.	\$ 1,403,216

FINANCE, DEPARTMENT OF

140. Administrative Direction and Control	
General Fund Appropriation.	\$----388,257
	\$ 352,874
141. Budget and Management Research	
General Fund Appropriation.	\$--1,638,957
	\$ 1,618,957
142. Accounting Systems and Operations	
General Fund Appropriation.	\$ 1,961,070
An internal service fund is hereby authorized to provide for accounting services of the Mobile Equipment Program. the costs of which are to be recovered from using agencies.	
143. Loan and Guarantee Services	
Loan and Guarantee Enterprise Fund Appropriation.	\$ 3,274,757
144. Purchasing	
General Fund Appropriation.	\$ 4,777,534
An internal service fund is hereby authorized to provide for operation of an oil delivery service, the costs of which are to be recovered from using agencies.	
An internal service fund is hereby authorized to provide for operation of a municipal reproduction and printing service, the costs of which are to be recovered from using agencies.	
An internal service fund is hereby authorized to provide for centralized automotive parts warehousing and inventory, the costs of which are to be recovered from using agencies.	
145. Risk Management Services	
An internal service fund is hereby authorized to provide for the operation of the Risk Management Office, the costs of which are to be recovered from the Self-Insurance Fund.	
147. Management Information Services	
General Fund Appropriation.	\$--5,423,647
	\$ 5,373,647
150. Treasury Management	
General Fund Appropriation.	\$ 1,921,827
151. Central Payroll and Disbursements	
General Fund Appropriation.	\$ 2,103,867

FIRE, DEPARTMENT OF

210.	Administrative Direction and Control		
	General Fund Appropriation.	\$--1,819,295	
		\$	1,780,919
211.	Training		
	General Fund Appropriation.	\$	584,025
212.	Fire Suppression		
	General Fund Appropriation.	\$	62,044,372
	State Fund Appropriation.	\$	285,000
213.	Fire Prevention		
	General Fund Appropriation.	\$	1,798,576
215.	Fire Alarm and Communications		
	General Fund Appropriation.	\$	2,603,121
217.	Equipment Maintenance		
	General Fund Appropriation.	\$	1,706,198
219.	Non-Actuarial Retirement Benefits		
	General Fund Appropriation.	\$	1,625,000
319.	Ambulance Service		
	General Fund Appropriation.	\$	5,467,121
	State Fund Appropriation.	\$	250,000

HEALTH, DEPARTMENT OF

240.	Animal Control		
	General Fund Appropriation.	\$	1,233,005
300.	Administrative Direction and Control		
	General Fund Appropriation.	\$	3,154,643
	State Fund Appropriation.	\$	54,455
302.	Environmental Health		
	General Fund Appropriation.	\$	3,541,222
	Federal Fund Appropriation.	\$	342,913
303.	Special Purpose Grants		
	State Fund Appropriation.	\$	760,000
	Special Fund Appropriation.	\$	500,000
304.	Clinical Services		
	General Fund Appropriation.	\$	2,411,097
	Federal Fund Appropriation.	\$	16,482,128
	State Fund Appropriation.	\$	414,877
305.	Maternal and Infant Services		
	General Fund Appropriation.	\$	111,489
	Federal Fund Appropriation.	\$	2,373,509
	State Fund Appropriation.	\$	528,781

306.	General Nursing Services		
	General Fund Appropriation.	\$	1,906,946
	State Fund Appropriation.	\$	48,916
307.	Mental Health Services		
	General Fund Appropriation.	\$	1,360,651
	Federal Fund Appropriation.	\$	22,593,293
	State Fund Appropriation.	\$	16,077,663
	Special Fund Appropriation.	\$	505,293
308.	Children and Youth Services		
	General Fund Appropriation.	\$	900,962
	Federal Fund Appropriation.	\$	4,188,210
310.	School Health Services		
	General Fund Appropriation.	\$	3,725,855
	Federal Fund Appropriation.	\$	2,329,480
	State Fund Appropriation.	\$	177,146
311.	Health Services for the Aging		
	General Fund Appropriation.	\$	1,378,273
	Federal Fund Appropriation.	\$	1,080,898
HOUSING AND COMMUNITY DEVELOPMENT, DEPARTMENT OF			
119.	Mayor's Stations		
	General Fund Appropriation.	\$	1,019,028
	Federal Fund Appropriation.	\$	357,000
177.	Administrative Direction and Control		
	General Fund Appropriation.	\$	843,622
	Federal Fund Appropriation.	\$	143,387
260.	Construction and Building Inspection		
	General Fund Appropriation.	\$	2,440,416
	Federal Fund Appropriation.	\$	685,796
570.	Preservation of Historic Places		
	General Fund Appropriation.	\$	261,202
	Federal Fund Appropriation.	\$	25,000
581.	Neighborhood Resources		
	General Fund Appropriation.	\$	815,367
	Federal Fund Appropriation.	\$	289,439
582.	Development		
	General Fund Appropriation.	\$	1,258,183
	Federal Fund Appropriation.	\$	1,018,723
583.	Neighborhood Services		
	General Fund Appropriation.	\$	5,099,200
	Federal Fund Appropriation.	\$	1,312,255
	State Fund Appropriation.	\$	49,000

Ord. No. 100

584.	Charles Center/Inner Harbor Management		
	General Fund Appropriation.	\$--1,243,551	
		\$	1,173,551
585.	Economic Development		
	General Fund Appropriation.	\$	1,376,607
	Federal Fund Appropriation.	\$	65,000
	Special Fund Appropriation.	\$	170,000
593.	Community Support Projects		
	Federal Fund Appropriation.	\$	4,284,605
595.	Special Projects for Neighborhoods		
	Federal Fund Appropriation.	\$	718,100
598.	Home Ownership and Rehabilitation Services		
	General Fund Appropriation.	\$	1,154,134
	Federal Fund Appropriation.	\$	784,795

JAIL BOARD

290.	Care and Custody of Prisoners		
	General Fund Appropriation.	\$	30,500,850
293.	Jail Commissary		
	Special Fund Appropriation.	\$	746,733
294.	Jail Industries		
	An internal service fund is hereby authorized to provide for the operation and maintenance of the Jail Industries program, the costs of which are recovered by sale of products and services, and a subsidy from General Fund.		

LAW, DEPARTMENT OF

175.	Legal Services		
	General Fund Appropriation.	\$	5,179,273
	An internal service fund is hereby authorized to provide for a self-insurance program covering automotive equipment, police animal liability and employee liability, the costs of which are to be recovered from the Self-Insurance Fund.		

LEGISLATIVE REFERENCE, DEPARTMENT OF

106.	Legislative Reference Services		
	General Fund Appropriation.	\$	327,768
107.	Archives and Records Management		
	General Fund Appropriation.	\$	252,859

LIBRARY, ENOCH PRATT FREE

450.	Administrative and Technical Services		
	General Fund Appropriation.	\$	331,239
	State Fund Appropriation.	\$	35,210
452.	Extension Services		
	General Fund Appropriation.	\$	7,946,553
453.	State Library Resource Center		
	General Fund Appropriation.	\$	3,654,176
	State Fund Appropriation.	\$	3,548,537

LIQUOR LICENSE COMMISSIONERS, BOARD OF

250.	Liquor Control		
	General Fund Appropriation.	\$	770,849

MAYORALTY

125.	Executive Direction and Control		
	General Fund Appropriation.	\$	2,494,166
	Federal Fund Appropriation.	\$	118,299
	State Fund Appropriation.	\$	30,000
127.	Task Force for Liaison with General Assembly		
	General Fund Appropriation.	\$	450,633

MAYORALTY - RELATED

121.	Contingent Fund		
	General Fund Appropriation.	\$	1,000,000
122.	Miscellaneous General Expenses		
	General Fund Appropriation.	\$	23,605,376
123.	General Debt Service		
	General Fund Appropriation.	\$	63,061,171
	Motor Vehicle Fund Appropriation.	\$	18,714,071
126.	Contribution to Self-Insurance Fund		
	General Fund Appropriation.	\$	9,654,000
	Motor Vehicle Fund Appropriation.	\$	1,127,000
385.	Health and Welfare Grants		
	General Fund Appropriation.	\$	1,252,990
446.	Educational Grants		
	General Fund Appropriation.	\$	1,082,544
590.	Civic Promotion		
	General Fund Appropriation.	\$	4,686,848
			\$ 4,531,848

Ord. No. 100

120.	Promotion of Equal Rights for Women		
	General Fund Appropriation.	\$	175,707
124.	Intergovernmental Research		
	General Fund Appropriation.	\$	0
128.	Labor Relations		
	General Fund Appropriation.	\$	268,034
224.	Mayor's Coordinating Council on Criminal Justice		
	General Fund Appropriation.	\$	603,744
	Special Fund Appropriation.	\$	187,500
324.	Aging and Retirement Education		
	General Fund Appropriation.	\$	866,457
	Federal Fund Appropriation.	\$	4,836,900
	State Fund Appropriation.	\$	1,614,561
492.	Promotion of Art and Culture		
	General Fund Appropriation.	\$	772,166
	Federal Fund Appropriation.	\$	12,000
	State Fund Appropriation.	\$	53,809
	Special Fund Appropriation.	\$	140,000
493.	Art and Culture Grants		
	General Fund Appropriation.	\$	2,549,098
531.	Convention Center Operations		
	General Fund Appropriation.	\$	3,946,716
540.	Baltimore Arena Operations		
	General Fund Appropriation.	\$	3,502,842
538.	Municipal Markets Administration		
	General Fund Appropriation.	\$	1,701,082
572.	Cable & Communications Coordination		
	General Fund Appropriation.	\$	584,090
630.	Administration (Title I)		
	General Fund Appropriation.	\$	127,771
631.	Job Training Partnership (Title II and III)		
	Federal Fund Appropriation.	\$	11,501,887
633.	Job Corps		
	Federal Fund Appropriation.	\$	410,000
639.	Special Services		
	General Fund Appropriation.	\$	463,742
	State Fund Appropriation.	\$	9,399,945

MAYOR'S ADVISORY COMMITTEE ON SMALL BUSINESS

575.	Liaison with Small Business		
	General Fund Appropriation.	\$	7

MUSEUM OF ART, BOARD OF TRUSTEES

489.	Operation of Museum of Art		
	General Fund Appropriation.	\$	2,937,263

MUSEUMS, BALTIMORE CITY LIFE

490.	Operation of City Life Museums		
	General Fund Appropriation.	\$	772,532

OCCUPATIONAL MEDICINE AND SAFETY, OFFICE OF

167.	Occupational Medicine and Safety		
	General Fund Appropriation.	\$	1,021,036

OFF-STREET PARKING COMMISSION

579.	Development of Off-Street Parking Facilities		
	General Fund Appropriation.	\$	117,923
	Parking Enterprise Fund Appropriation	\$	6,925,000

PLANNING, DEPARTMENT OF

187.	City Planning		
	General Fund Appropriation.	\$	1,772,567
		\$	1,756,767
	Motor Vehicle Fund Appropriation.	\$	767,354
	Federal Fund Appropriation.	\$	366,500
	State Fund Appropriation.	\$	65,000

POLICE, DEPARTMENT OF

200.	Administrative Direction and Control		
	General Fund Appropriation.	\$	3,798,228
201.	General Patrol		
	General Fund Appropriation.	\$	83,495,629
	State Fund Appropriation.	\$	1,500,000
202.	Investigations		
	General Fund Appropriation.	\$	12,906,250
	Federal Fund Appropriation.	\$	465,500
	Special Fund Appropriation.	\$	50,000

203.	Traffic		
	General Fund Appropriation.	\$	625,231
	Motor Vehicle Fund Appropriation.	\$	3,956,800
	State Fund Appropriation.	\$	111,320
204.	Services Bureau		
	General Fund Appropriation.	\$	16,969,873
	State Fund Appropriation.	\$	352,000
	Special Fund Appropriation.	\$	1,115,107
205.	Non-Actuarial Retirement Benefits		
	General Fund Appropriation.	\$	10,600,000
207.	Special Operation		
	General Fund Appropriation.	\$	14,525,535

PUBLIC WORKS, DEPARTMENT OF

189.	Motor Equipment Division		
	An internal service fund is hereby authorized to provide for operation of a central automotive and mechanical repair service, the costs of which are to be recovered from using agencies.		
190.	Administrative Direction and Control		
	General Fund Appropriation.	\$	2,379,102
191.	Survey Control		
	General Fund Appropriation.	\$	1,856,806
192.	General Services Administration		
	General Fund Appropriation.	\$	193,581
193.	Public Building Management		
	General Fund Appropriation.	\$	14,933,588
195.	Abandoned Vehicles		
	General Fund Appropriation.	\$	625,579
	Motor Vehicle Fund Appropriation.	\$	3,562,861
	State Fund Appropriation.	\$	18,300
241.	Materials Testing		
	General Fund Appropriation.	\$	311,208
242.	Public Building Construction Inspection		
	An internal service fund is hereby authorized to provide for contract management and inspection of municipal building construction, the costs of which are to be recovered from using agencies.		
243.	Highway, Bridge and Utility Construction Inspection		
	An internal service fund is hereby authorized to provide for contract management and inspection of municipal highway, bridge and utility construction, the costs of		

which are to be recovered from capital project appropriations.

515.	Solid Waste Collection	
	General Fund Appropriation.	\$ 14,504,796
	Motor Vehicle Fund Appropriation.	\$ 14,190,717
516.	Solid Waste Disposal	
	General Fund Appropriation.	\$ 25,478,645
544.	Maintenance and Repair of Sanitary Systems	
	Waste Water Utility Fund Appropriation.	\$ 7,809,499
546.	Water Distribution, Water Meters and Investigation	
	Water Utility Fund Appropriation.	\$ 14,781,872
550.	Waste Water Facilities	
	Waste Water Utility Fund Appropriation.	\$ 52,796,739
552.	Water Facilities	
	Water Utility Fund Appropriation.	\$ 14,888,481
553.	Water Administration and Engineering	
	Water Utility Fund Appropriation.	\$ 3,878,877
554.	Waste Water Administration and Engineering	
	Waste Water Utility Fund Appropriation.	\$ 7,705,292
561.	Metered Water Accounts	
	Water Utility Fund Appropriation.	\$ 5,821,142
565.	Utility Debt Service	
	Waste Water Utility Fund Appropriation.	\$ 5,626,548
	Water Utility Fund Appropriation.	\$ 8,386,598

RECREATION AND PARKS, DEPARTMENT OF

471.	Administrative Direction and Control	
	General Fund Appropriation.	\$ 1,467,991
473.	Municipal Concerts and Other Musical Events	
	General Fund Appropriation.	\$ 120,747
478.	General Park Services	
	General Fund Appropriation.	\$ 12,823,759
	State Fund Appropriation.	\$ 1,164,522
479.	Special Facilities	
	General Fund Appropriation.	\$ 7,578,929
	Special Fund Appropriation.	\$ 600,000
480.	Regular Recreational Services	
	General Fund Appropriation.	\$ 12,351,798
	Federal Fund Appropriation.	\$ 127,561

482.	Supplementary Recreational Services		
	State Fund Appropriation.	\$	125,734
	Special Fund Appropriation.	\$	1,316,565
505.	Park and Street Trees		
	General Fund Appropriation.	\$	1,838,066

SHERIFF, OFFICE OF

118.	Sheriff Services		
	General Fund Appropriation.	\$	4,068,219
	Federal Fund Appropriation.	\$	642,378

SOCIAL SERVICES, DEPARTMENT OF

365.	Public Assistance		
	General Fund Appropriation.	\$	680,785
	Provided that \$20,250 per month from the aforementioned appropriation will be allotted for General Public Assistance-Employable grants.		

STATE'S ATTORNEY, OFFICE OF

115.	Prosecution of Criminals		
	General Fund Appropriation.	\$	8,985,191
	Federal Fund Appropriation.	\$	922,434
	Special Fund Appropriation.	\$	50,000

TRANSPORTATION, DEPARTMENT OF

196.	Special Services		
	General Fund Appropriation.	\$	3,703,179
	Motor Vehicle Fund Appropriation.	\$	2,005,188
230.	Administrative Direction and Control		
	General Fund Appropriation.	\$	202,485
	Motor Vehicle Fund Appropriation.	\$	1,506,771
	Federal Fund Appropriation.	\$	124,609
	State Fund Appropriation.	\$	31,827
231.	Traffic Engineering		
	General Fund Appropriation.	\$	170,228
	Motor Vehicle Fund Appropriation.	\$	2,346,757
	An internal service fund is hereby authorized to provide for operation of a City-owned two-way radio system, the costs of which are to be recovered from using agencies.		
232.	Parking Meters		
	General Fund Appropriation.	\$	1,153,351

233.	Traffic Signs and Street Markings		
	General Fund Appropriation.	\$	67,500
	Motor Vehicle Fund Appropriation.	\$	3,954,398
	State Fund Appropriation.	\$	11,165
234.	Construction and Maintenance of Traffic Signals		
	Motor Vehicle Fund Appropriation.	\$	4,853,407
235.	Parking Enforcement		
	General Fund Appropriation.	\$	2,405,983
	Motor Vehicle Fund Appropriation.	\$	153,651
238.	School Crossing Guards		
	General Fund Appropriation.	\$	186,291
239.	Traffic Operations		
	General Fund Appropriation.	\$	20,000
	Motor Vehicle Fund Appropriation.	\$	1,136,079
500.	Street Lighting		
	Motor Vehicle Fund Appropriation.	\$	15,874,334
501.	Public Streets, Bridges and Highways		
	Motor Vehicle Fund Appropriation.	\$	18,173,014
503.	Highway Administration and Engineering		
	General Fund Appropriation.	\$	384,504
	Motor Vehicle Fund Appropriation.	\$	842,276
518.	Maintenance and Repair of Storm Water Systems		
	Motor Vehicle Fund Appropriation.	\$	3,351,466
519.	Solid Waste Engineering and Storm Water Management		
	General Fund Appropriation.	\$	486,778
	Motor Vehicle Fund Appropriation.	\$	109,007
	State Fund Appropriation.	\$	112,721
548.	Conduits		
	General Fund Appropriation.	\$	1,728,064

URBAN SERVICES AGENCY

171.	Administration		
	General Fund Appropriation.	\$	1,011,260
	Federal Fund Appropriation.	\$	1,554,374
	State Fund Appropriation.	\$	823,233
172.	Neighborhood Organization		
	General Fund Appropriation.	\$	962,149
	Federal Fund Appropriation.	\$	485,658
	State Fund Appropriation.	\$	1,167,511
376.	Day Care		
	General Fund Appropriation.	\$	1,553,851

377.	Social Services		
	General Fund Appropriation.	\$	235,040
	Federal Fund Appropriation.	\$	238,182
395.	Children's Services		
	General Fund Appropriation.	\$	128,881
	Federal Fund Appropriation.	\$	4,263,116
396.	Energy/Weatherization Services		
	Federal Fund Appropriation.	\$	1,000,000
	State Fund Appropriation.	\$	19,950,538
397.	Community Support Services		
	General Fund Appropriation.	\$	127,868
	Federal Fund Appropriation.	\$	1,275,424
	State Fund Appropriation.	\$	163,944
426.	Education		
	General Fund Appropriation.	\$	27,351
	Federal Fund Appropriation.	\$	494,942
496.	Recreation		
	Federal Fund Appropriation.	\$	398,014
	State Fund Appropriation.	\$	248,217

WAGE COMMISSION

165.	Wage Enforcement		
	General Fund Appropriation.	\$	291,972

WAR MEMORIAL COMMISSION

487.	Operation of War Memorial Building		
	General Fund Appropriation.	\$	204,006

ZONING APPEALS, DEPARTMENT OF MUNICIPAL AND

185.	Zoning, Tax and Other Appeals		
	General Fund Appropriation.	\$	384,193

B. CAPITAL BUDGET

COMMUNITY COLLEGE OF BALTIMORE

Construction Reserve			
General Fund Appropriation.	\$	213,000	
State Fund Appropriation.	\$	330,000	
Provided that the foregoing Capital Improvement			

Appropriations herein made are for the following projects:

Liberty Campus - Library Renovation		
General Fund Appropriation.	\$	53,000
State Fund Appropriation.	\$	76,000
Liberty Campus - Fine Arts Wing		
General Fund Appropriation.	\$	33,000
Liberty Campus - Field House Renovation		
State Fund Appropriation.	\$	20,000
Liberty Campus - Administration Wing Renovation		
General Fund Appropriation.	\$	9,000
State Fund Appropriation.	\$	21,000
Liberty Campus - Cafeteria Renovation		
General Fund Appropriation.	\$	118,000
State Fund Appropriation.	\$	213,000

COMPTROLLER, DEPARTMENT OF

Construction Reserve

State Fund Appropriation.	\$	30,000
Provided that the foregoing Capital Improvement		
Appropriation herein made is for the following project:		
Derelict Pier & Boat Removal		
State Fund Appropriation.	\$	30,000

EDUCATION, DEPARTMENT OF

Construction Reserve

Loan Fund Appropriation	\$	3,000,000
State Fund Appropriation.	\$	13,472,000
Provided that the foregoing Capital Improvement		
Appropriations herein made are for the following projects:		
Roof Replacement (FY 1989) - Various Schools		
Loan Fund Appropriation	\$	536,000
State Fund Appropriation.	\$	536,000
Guilford Elementary School 214 - Replacement		
Loan Fund Appropriation	\$	190,000
Digges-Johnson Middle School 162 - Replacement		
State Fund Appropriation.	\$	3,700,000
Arlington Elementary School 234 - Renovation		
Loan Fund Appropriation	\$	234,000
Armistead Gardens Elementary School 243 - Replacement		
Loan Fund Appropriation	\$	2,033,000
State Fund Appropriation.	\$	4,006,000
Hampstead Hill Elementary School 47 - Replacement		
Loan Fund Appropriation	\$	7,000
State Fund Appropriation.	\$	5,230,000

FIRE DEPARTMENT

Construction Reserve

Loan Fund Appropriation	\$	1,500,000
General Fund Appropriation.	\$	110,000

State Fund Appropriation.	\$ 60,000
Provided that the foregoing Capital Improvement	
Appropriations herein made are for the following projects:	
Fire Academy - Modernization	
General Fund Appropriation.	\$ 50,000
Fire Boat Facility - Development	
General Fund Appropriation.	\$ 60,000
State Fund Appropriation.	\$ 60,000
Engine 40 Truck 12 - Construction	
Loan Fund Appropriation	\$ 1,500,000

HEALTH, DEPARTMENT OF

Construction Reserve

Motor Vehicle Fund Appropriation.	\$ 400,000
Provided that the foregoing Capital Improvement	
Appropriation herein made is for the following project:	
Cherry Hill Multi-Purpose Center - Improvement	
Motor Vehicle Fund Appropriation.	\$ 400,000

HOUSING AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Construction Reserve

Loan Fund Appropriation	\$ 19,750,000
Revenue Bond Fund Appropriation	\$ 2,000,000
Federal Fund Appropriation.	\$ 16,725,000
Community Development Block Grant Appropriation	\$ 14,512,000
State Fund Appropriation.	\$ 232,000
Motor Vehicle Fund Appropriation.	\$ 464,000
Other Special Fund Appropriation.	\$ 5,148,000
Mayor & City Council Real Property Fund Appropriation	\$ 1,250,000
Provided that the foregoing Capital Improvement	
Appropriations and Deappropriation herein made	
are for the following projects:	
Construction Reserve	
Federal Fund Deappropriation.	\$ (5,000,000)
Seton Business Park - South Section	
Mayor & City Council Real Property Fund Appropriation	\$ 70,000
Park Circle Enterprise Zone - Development	
Loan Fund Appropriation	\$ 20,000
Seton Business Park - North Section	
Mayor & City Council Real Property Fund Appropriation	\$ 485,000
Wabash Avenue Extension (Grantley Avenue Bypass)	
Loan Fund Appropriation	\$ 50,000
Pimlico Race Track Impact Program	
State Fund Appropriation.	\$ 232,000
Technology Development Center - Development	
Loan Fund Appropriation	\$ 350,000
Federal Fund Appropriation.	\$ 1,000,000
Mayor & City Council Real Property Fund Appropriation	\$ 150,000
Waterview Avenue Enterprise Zone	
Loan Fund Appropriation	\$ 118,000

Port Covington Business Park	
Loan Fund Appropriation	\$ 1,500,000
Revenue Bond Fund Appropriation	\$ 2,000,000
Motor Vehicle Fund Appropriation.	\$ 464,000
West Baltimore Enterprise Zone	
Loan Fund Appropriation	\$ 50,000
Southgate Industrial Park	
Loan Fund Appropriation	\$ 100,000
Bayview Industrial Park	
Loan Fund Appropriation	\$ 32,000
Mayor & City Council Real Property Fund Appropriation	\$ 35,000
Holabird Industrial Park	
Mayor & City Council Real Property Fund Appropriation	\$ 10,000
Center for Medical Biotechnology - Acquisition/Development	
Mayor & City Council Real Property Fund Appropriation	\$ 500,000
Hopkins-Bayview Biomedical Research Park - Streets	
Loan Fund Appropriation	\$ 680,000
Other Special Fund Appropriation.	\$ 1,200,000
Canton Industrial Park - Development	
Loan Fund Appropriation	\$ 200,000
I-895 Bayview Access Ramps	
Loan Fund Appropriation	\$ 200,000
Other Special Fund Appropriation.	\$ 200,000
Waterfront Improvements	
Loan Fund Appropriation	\$ 400,000
Charles Street Corridor - Improvements	
Loan Fund Appropriation	\$ 300,000
Market Center Public Initiative	
Loan Fund Appropriation	\$ 1,300,000
Other Special Fund Appropriation.	\$ 17,000
Lexington Market Value Capture Project	
Federal Fund Appropriation.	\$ 475,000
Homeownership Mortgage Program	
Federal Fund Appropriation.	\$ 5,250,000
Enterprise Development (Venture Capital)	
Loan Fund Appropriation	\$ 500,000
Neighborhood Services Program	
Loan Fund Appropriation	\$ 1,000,000
Neighborhood Incentive Program	
Loan Fund Appropriation	\$ 500,000
Vacant House Initiative	
Loan Fund Appropriation	\$ 500,000
Housing Development Action Grant	
Federal Fund Appropriation.	\$ 5,000,000
Canton Trade Center	
Other Special Fund Appropriation.	\$ 2,400,000
Neighborhood Progress Development Fund	
Other Special Fund Appropriation.	\$ 1,331,000
Future Urban Development Action Grants	
Federal Fund Appropriation.	\$ 10,000,000
Business Financing Loan Program	
Loan Fund Appropriation	\$ 900,000
Residential Loan Program	
Loan Fund Appropriation	\$ 1,000,000

Energy Conservation Loan Program	
Loan Fund Appropriation	\$ 1,000,000
Housing Development Loan Fund	
Loan Fund Appropriation	\$ 6,000,000
Govans Community Development	
Community Development Block Grant Appropriation	\$ 125,000
Park Heights Community Development	
Loan Fund Appropriation	\$ 219,000
Community Development Block Grant Appropriation	\$ 566,000
Druid Heights Community Development	
Loan Fund Appropriation	\$ 8,000
Community Development Block Grant Appropriation	\$ 32,000
Harlem Park Community Development	
Community Development Block Grant Appropriation	\$ 204,000
Reservoir Hill Community Development	
Loan Fund Appropriation	\$ 50,000
Community Development Block Grant Appropriation	\$ 90,000
Orchard-Biddle Community Development	
Loan Fund Appropriation	\$ 16,000
Rosemont Community Development	
Loan Fund Appropriation	\$ 52,000
Community Development Block Grant Appropriation	\$ 48,000
Sandtown-Winchester Community Development	
Loan Fund Appropriation	\$ 94,000
Community Development Block Grant Appropriation	\$ 435,000
Upton Community Development	
Loan Fund Appropriation	\$ 146,000
Community Development Block Grant Appropriation	\$ 188,000
Penn-North Metro Station Community Development	
Community Development Block Grant Appropriation	\$ 601,000
Mondawmin Metro Station Community Development	
Loan Fund Appropriation	\$ 31,000
Community Development Block Grant Appropriation	\$ 105,000
Outer City West Sector Community Development	
Loan Fund Appropriation	\$ 82,000
Community Development Block Grant Appropriation	\$ 88,000
North Avenue/Walbrook Community Development	
Community Development Block Grant Appropriation	\$ 386,000
Franklin Square Community Development	
Loan Fund Appropriation	\$ 113,000
Community Development Block Grant Appropriation	\$ 382,000
Mount Clare Community Development	
Loan Fund Appropriation	\$ 124,000
Community Development Block Grant Appropriation	\$ 62,000
Poppleton Community Development	
Community Development Block Grant Appropriation	\$ 762,000
Ridgely's Delight Community Development	
Loan Fund Appropriation	\$ 47,000
Sharp-Leadenhall Community Development	
Community Development Block Grant Appropriation	\$ 226,000
Washington Village Community Development	
Community Development Block Grant Appropriation	\$ 960,000
Outer City Southwest Sector Community Development	
Loan Fund Appropriation	\$ 16,000

Irvington Community Development	
Loan Fund Appropriation	\$ 16,000
Community Development Block Grant Appropriation	\$ 75,000
Lower Fells Point Community Development	
Loan Fund Appropriation	\$ 497,000
Community Development Block Grant Appropriation	\$ 120,000
Jonestown Community Development	
Loan Fund Appropriation	\$ 44,000
Community Development Block Grant Appropriation	\$ 20,000
Middle East Community Development	
Loan Fund Appropriation	\$ 11,000
Community Development Block Grant Appropriation	\$ 230,000
Washington Hill-Chapel Community Development	
Loan Fund Appropriation	\$ 10,000
Community Development Block Grant Appropriation	\$ 61,000
Outer City Southeast Sector Community Development	
Loan Fund Appropriation	\$ 75,000
Coldstream/Homestead/Montebello Community Development	
Loan Fund Appropriation	\$ 17,000
Community Development Block Grant Appropriation	\$ 212,000
East Baltimore Midway Community Development	
Community Development Block Grant Appropriation	\$ 272,000
Barclay Community Development	
Community Development Block Grant Appropriation	\$ 90,000
Greenmount West Community Development	
Community Development Block Grant Appropriation	\$ 154,000
Johnston Square Community Development	
Loan Fund Appropriation	\$ 1,000
Community Development Block Grant Appropriation	\$ 450,000
Oliver Community Development	
Loan Fund Appropriation	\$ 150,000
Community Development Block Grant Appropriation	\$ 469,000
Broadway East Community Development	
Community Development Block Grant Appropriation	\$ 926,000
Charles North Shopping Center Community Development	
Loan Fund Appropriation	\$ 41,000
Inner Harbor East Community Development	
Loan Fund Appropriation	\$ 550,000
Inner Harbor West Community Development	
Community Development Block Grant Appropriation	\$ 150,000
Market Center Community Development	
Loan Fund Appropriation	\$ 140,000
Community Development Block Grant Appropriation	\$ 825,000
Housing Assistant Program (HAP)	
Community Development Block Grant Appropriation	\$ 500,000
Deferred Loan Program (CDBG Funds)	
Community Development Block Grant Appropriation	\$ 1,000,000
Single Family Settlement Expense Loans - NAC	
Community Development Block Grant Appropriation	\$ 400,000
Uplift Rehabilitation Community Development	
Community Development Block Grant Appropriation	\$ 450,000
Family Life Center Community Development	
Community Development Block Grant Appropriation	\$ 625,000
Economic Development - Industrial	
Community Development Block Grant Appropriation	\$ 300,000

Relocation and Property Management Community Development	
Community Development Block Grant Appropriation	\$ 1,653,000
Housing Assistance Corporation Community Development	
Community Development Block Grant Appropriation	\$ 43,000
Baltimore Jobs in Energy Community Development	
Community Development Block Grant Appropriation	\$ 75,000
Coil, Inc. Community Development	
Community Development Block Grant Appropriation	\$ 40,000
Coil, Inc. Southwest Senior Center Community Development	
Community Development Block Grant Appropriation	\$ 74,000
Union Square Association Community Development	
Community Development Block Grant Appropriation	\$ 38,000

JAIL BOARD

Construction Reserve	
General Fund Appropriation.	\$ 600,000
State Fund Appropriation.	\$ 17,000,000
Provided that the foregoing Capital Improvement	
Appropriations herein made are for the following projects:	
City Jail - Facilities Study	
General Fund Appropriation.	\$ 100,000
Women's Detention Center - Renovation	
General Fund Appropriation.	\$ 500,000
City Jail - Expansion	
State Fund Appropriation.	\$ 17,000,000

LIBRARY, ENOCH PRATT FREE

Construction Reserve	
General Fund Appropriation.	\$ 700,000
State Fund Appropriation.	\$ 150,000
Other Special Fund Appropriation.	\$ 50,000
Provided that the foregoing Capital Improvement	
Appropriations herein made are for the following projects:	
Old Hollins Library - Restoration	
Other Special Fund Appropriation.	\$ 50,000
Pratt Central Library - Renovation	
State Fund Appropriation.	\$ 150,000
Public Access Technology	
General Fund Appropriation.	\$ 50,000
Pratt Library Facilities Modernization	
General Fund Appropriation.	\$ 650,000

MAYORALTY - RELATED

Construction Reserve	
General Fund Appropriation.	\$ 2,274,000
State Fund Appropriation.	\$ 4,250,000
Other Special Fund Appropriation.	\$ 6,523,000
Provided that the foregoing Capital Improvement	
Appropriations herein made are for the following projects:	

City-Wide Facilities Improvements

General Fund Appropriation.	\$ 674,000
Baltimore Museum of Industry - Renovation Physical Facility	
General Fund Appropriation.	\$ 150,000
Other Special Fund Appropriation.	\$ 51,000
Neighborhood Senior Centers - Improvements	
General Fund Appropriation.	\$ 200,000
Center Stage - Renovation	
State Fund Appropriation.	\$ 1,000,000
Walters Art Gallery - Asian Art Center	
State Fund Appropriation.	\$ 250,000
Other Special Fund Appropriation.	\$ 825,000
Walters Art Gallery Complex - Renovations	
Other Special Fund Appropriation.	\$ 150,000
Special Projects for Schools	
General Fund Appropriation.	\$ 400,000
Aquarium Marine Mammal Pavilion - Construction	
State Fund Appropriation.	\$ 3,000,000
Other Special Fund Appropriation.	\$ 5,447,000
Aquarium Seal Pool - Improvements	
General Fund Appropriation.	\$ 275,000
Other Special Fund Appropriation.	\$ 50,000
Convention Center - Exterior Cleaning	
General Fund Appropriation.	\$ 100,000
Convention Center - Automatic Doors	
General Fund Appropriation.	\$ 175,000
Baltimore Arena - Remove Escalators	
General Fund Appropriation.	\$ 200,000
Baltimore Arena - Installation of Safety Rails	
General Fund Appropriation.	\$ 100,000

CITY LIFE MUSEUMS

Construction Reserve

General Fund Appropriation.	\$ 50,000
Motor Vehicle Fund Appropriation.	\$ 100,000
Provided that the foregoing Capital Improvement	
Appropriations herein made are for the following project:	
Museum Row/Albemarle Street - Improvements	
General Fund Appropriation.	\$ 50,000
Motor Vehicle Fund Appropriation.	\$ 100,000

MUSEUM OF ART

Construction Reserve

Loan Fund Appropriation	\$ 1,500,000
State Fund Appropriation.	\$ 750,000
Other Special Fund Appropriation.	\$ 60,000
Provided that the foregoing Capital Improvement	
Appropriations herein made are for the following project:	
Baltimore Museum of Art - West Wing Construction	
Loan Fund Appropriation	\$ 1,500,000
State Fund Appropriation.	\$ 750,000

Other Special Fund Appropriation. \$ 60,000

OFF-STREET PARKING COMMISSION

Construction Reserve

Loan Fund Appropriation \$ 9,000,000
 Revenue Bond Fund Appropriation \$ 39,750,000
 Provided that the foregoing Capital Improvement
 Appropriations herein made are for the following projects:
 Hopkins/Homewood Parking Garage
 Revenue Bond Fund Appropriation \$ 11,000,000
 City Hall Plaza Parking Garage
 Revenue Bond Fund Appropriation \$ 6,000,000
 Hopkins/Broadway Parking Garage
 Revenue Bond Fund Appropriation \$ 18,000,000
 Parking Enterprise - Renewal & Replacement
 Revenue Bond Fund Appropriation \$ 250,000
 Municipal Center Garage
 Revenue Bond Fund Appropriation \$ 1,500,000
 West Pratt/Lombard Parking Garage
 Loan Fund Appropriation \$ 9,000,000
 Revenue Bond Fund Appropriation \$ 3,000,000

PUBLIC WORKS, DEPARTMENT OF

Construction Reserve - General Services

General Fund Appropriation. \$ 458,000
 Waste Water Utility Fund Appropriation. \$ 20,000
 Water Utility Fund Appropriation. \$ 30,000
 Motor Vehicle Fund Appropriation. \$ 62,000
 Other Special Fund Appropriation. \$ 1,000,000

Provided that the foregoing Capital Improvement

Appropriations herein made are for the following projects:

District Police Buildings - Renovations
 General Fund Appropriation. \$ 100,000
 Abandoned Vehicles Storage Center - Expansion
 Motor Vehicle Fund Appropriation. \$ 20,000
 303 E. Fayette Street - Improvements
 Other Special Fund Appropriation. \$ 1,000,000
 City Hall - Restoration Improvements
 General Fund Appropriation. \$ 168,000
 Wolman Building - Windows/Masonry Improvement
 General Fund Appropriation. \$ 99,000
 Waste Water Utility Fund Appropriation. \$ 13,000
 Water Utility Fund Appropriation. \$ 13,000
 Motor Vehicle Fund Appropriation. \$ 22,000
 Wolman Building - Plumbing Renovation
 General Fund Appropriation. \$ 91,000
 Waste Water Utility Fund Appropriation. \$ 7,000
 Water Utility Fund Appropriation. \$ 17,000
 Motor Vehicle Fund Appropriation. \$ 20,000

Construction Reserve - Waste Water

Revenue Bond Fund Appropriation \$ 8,725,000
 Waste Water Utility Fund Appropriation. \$ 357,000
 Other Special Fund Appropriation. \$ 2,000,000

County Grant Fund Appropriation	\$ 20,125,000
Provided that the foregoing Capital Improvement	
Appropriations herein made are for the following projects:	
Waste Water Construction Reserve	
Other Special Fund Appropriation	\$ 2,000,000
County Grant Fund Appropriation	\$ 9,760,000
Combined Sewer Separation - Walbrook Phase 3	
Revenue Bond Fund Appropriation	\$ 800,000
Back River Advanced Treatment - Mod. I	
Revenue Bond Fund Appropriation	\$ 710,000
County Grant Fund Appropriation	\$ 710,000
Herring Run - Sewer Interceptor - Replacement	
Revenue Bond Fund Appropriation	\$ 138,000
County Grant Fund Appropriation	\$ 162,000
Secondary Sludge Treatment Facilities - Improvements	
Revenue Bond Fund Appropriation	\$ 1,829,000
County Grant Fund Appropriation	\$ 1,829,000
Additional Digesters - Construction	
Revenue Bond Fund Appropriation	\$ 136,000
County Grant Fund Appropriation	\$ 136,000
Back River Monitoring System - Installation	
Revenue Bond Fund Appropriation	\$ 100,000
County Grant Fund Appropriation	\$ 100,000
Trickling Filter - Cleaning and Storage	
Revenue Bond Fund Appropriation	\$ 620,000
County Grant Fund Appropriation	\$ 620,000
Small Sewer Extensions and Improvements	
Waste Water Utility Fund Appropriation	\$ 100,000
Waste Water System - Annual Improvements	
Waste Water Utility Fund Appropriation	\$ 200,000
County Grant Fund Appropriation	\$ 200,000
Back River SSN Chemical Facilities	
Revenue Bond Fund Appropriation	\$ 207,000
County Grant Fund Appropriation	\$ 207,000
BRWWTP Existing Activated Sludge - Mod. I	
Revenue Bond Fund Appropriation	\$ 102,000
County Grant Fund Appropriation	\$ 103,000
Patapsco Energy Recovery System - Construction	
Revenue Bond Fund Appropriation	\$ 864,000
County Grant Fund Appropriation	\$ 2,016,000
Patapsco WWTP Expansion	
Revenue Bond Fund Appropriation	\$ 728,000
County Grant Fund Appropriation	\$ 3,229,000
Jones Falls Sewerage System/Pumped Portion	
Revenue Bond Fund Appropriation	\$ 1,291,000
County Grant Fund Appropriation	\$ 1,053,000
Extraordinary Capital Projects	
Waste Water Utility Fund Appropriation	\$ 57,000
Port Covington Development - Construction	
Revenue Bond Fund Appropriation	\$ 1,200,000
Construction Reserve - Water	
Revenue Bond Fund Appropriation	\$ 7,065,000
Water Utility Fund Appropriation	\$ 245,000
County Grant Fund Appropriation	\$ 1,207,000

Provided that the foregoing Capital Improvement

Appropriations herein made are for the following projects:

Renovate and Repair Water Tanks	
Water Utility Fund Appropriation	\$ 97,000
County Grant Fund Appropriation	\$ 258,000
Towson Reservoir - Rehabilitation	
Revenue Bond Fund Appropriation	\$ 425,000
County Grant Fund Appropriation	\$ 788,000
Pikesville Chlorination Facility - Construction	
Water Utility Fund Appropriation	\$ 75,000
Prettyboy Dam - Improvements	
Water Utility Fund Appropriation	\$ 73,000
County Grant Fund Appropriation	\$ 27,000
Watershed Roads and Bridges - Maintenance	
Revenue Bond Fund Appropriation	\$ 1,144,000
County Grant Fund Appropriation	\$ 134,000
Pennington Avenue 48-Inch Main - Installation	
Revenue Bond Fund Appropriation	\$ 1,936,000
PCB Transformers - Maintenance	
Revenue Bond Fund Appropriation	\$ 60,000
Main Cleaning Program - Maintenance	
Revenue Bond Fund Appropriation	\$ 3,000,000
Small Water Mains Program - Installation	
Revenue Bond Fund Appropriation	\$ 500,000

RECREATION AND PARKS, DEPARTMENT OF

Construction Reserve - Parks

Loan Fund Appropriation	\$ 1,750,000
General Fund Appropriation	\$ 500,000
State Fund Appropriation	\$ 1,750,000
Other Special Fund Appropriation	\$ 50,000
State Open Space Fund Appropriation	\$ 1,100,000

Provided that the foregoing Capital Improvement

Appropriations herein made are for the following projects:

Baltimore Zoo - African Watering Hole Construction	
Loan Fund Appropriation	\$ 1,750,000
State Fund Appropriation	\$ 1,500,000
Baltimore Zoo - Great Ape Exhibit Construction	
State Fund Appropriation	\$ 250,000
Other Special Fund Appropriation	\$ 50,000
Recreation Center Maintenance Program	
General Fund Appropriation	\$ 50,000
State Open Space Fund Appropriation	\$ 150,000
Street Tree Planting Program	
General Fund Appropriation	\$ 100,000
Memorial Stadium - General Improvements	
General Fund Appropriation	\$ 200,000
Park Rehabilitation Program	
General Fund Appropriation	\$ 100,000
State Open Space Fund Appropriation	\$ 50,000
Baltimore Playlot Project	
State Open Space Fund Appropriation	\$ 350,000
Acquisition of Park Property	
State Open Space Fund Appropriation	\$ 150,000

Clifton Park Tennis Courts - Improvements	
State Open Space Fund Appropriation	\$ 250,000
Gwynns Falls/Leakin Park Buildings - Renovation	
General Fund Appropriation.	\$ 50,000
State Open Space Fund Appropriation	\$ 150,000

TRANSPORTATION, DEPARTMENT OF

Construction Reserve - Alley and Footway Paving	
General Fund Appropriation.	\$ 360,000
Motor Vehicle Fund Appropriation.	\$ 2,140,000
Other Special Fund Appropriation.	\$ 2,600,000
Provided that the foregoing Capital Improvement	
Appropriations herein made are for the following projects:	
Footway Paving Construction Reserve	
General Fund Appropriation.	\$ 120,000
Other Special Fund Appropriation.	\$ 600,000
Alley Paving Construction Reserve	
Motor Vehicle Fund Appropriation.	\$ 2,000,000
Other Special Fund Appropriation.	\$ 2,000,000
Sidewalks Damaged by Tree Roots - Repair	
General Fund Appropriation.	\$ 240,000
Motor Vehicle Fund Appropriation.	\$ 140,000
Construction Reserve - Highways Construction	
Federal Fund Appropriation.	\$ 26,347,000
State Fund Appropriation.	\$ 2,700,000
Motor Vehicle Fund Appropriation.	\$ 37,326,000
Other Special Fund Appropriation.	\$ 3,473,000
Provided that the foregoing Capital Improvement	
Appropriations herein made are for the following projects:	
Strathmore Avenue Reconstruction (Park Heights-Cross Country)	
Motor Vehicle Fund Appropriation.	\$ 465,000
Bond Street Reconstruction (Aliceanne to Thames)	
Motor Vehicle Fund Appropriation.	\$ 70,000
Pall Mall Road Reconstruction (Shirley to Keyworth)	
Motor Vehicle Fund Appropriation.	\$ 30,000
Cold Spring Lane Bridge Over Stony Run	
Motor Vehicle Fund Appropriation.	\$ 50,000
Font Hill Avenue Reconstruction (Hurley to Frederick)	
Motor Vehicle Fund Appropriation.	\$ 115,000
Denvier Way Reconstruction (Relcrest to Force)	
Motor Vehicle Fund Appropriation.	\$ 65,000
Dolphin Street Resurfacing (Pennsylvania to Eutaw)	
Motor Vehicle Fund Appropriation.	\$ 163,000
Eastern Avenue (I-895 to the City Line)	
Motor Vehicle Fund Appropriation.	\$ 1,800,000
Elkins Lane Reconstruction (Heath to Randall)	
Motor Vehicle Fund Appropriation.	\$ 20,000
Eutaw Street Resurfacing (Lombard to Marion)	
Motor Vehicle Fund Appropriation.	\$ 175,000
Freedomway North (Freedomway West to Clareway)	
Motor Vehicle Fund Appropriation.	\$ 455,000
Freedomway West (Federal - Freedomway North)	
Motor Vehicle Fund Appropriation.	\$ 310,000

Wabash Avenue Reconstruction (Hilton to Belle)	
Motor Vehicle Fund Appropriation.	\$ 642,000
Greenspring Avenue Bridge Over Western Run	
Motor Vehicle Fund Appropriation.	\$ 50,000
Ritter Avenue Reconstruction (Hamilton to Dead End)	
Motor Vehicle Fund Appropriation.	\$ 107,000
Herkimer Street Reconstruction (Sexton to Spence)	
Motor Vehicle Fund Appropriation.	\$ 120,000
Key Highway Reconstruction (Covington to Fort)	
Federal Fund Appropriation.	\$ 2,168,000
Motor Vehicle Fund Appropriation.	\$ 382,000
Pennington Avenue (Birch to Cabin Branch)	
Federal Fund Appropriation.	\$ 962,000
Motor Vehicle Fund Appropriation.	\$ 170,000
Highway Yards Improvement	
Motor Vehicle Fund Appropriation.	\$ 500,000
Loch Raven Boulevard Resurfacing (Belvedere to NCL)	
Federal Fund Appropriation.	\$ 526,000
Motor Vehicle Fund Appropriation.	\$ 132,000
Moravia Road Resurfacing (Belair to Sinclair)	
Motor Vehicle Fund Appropriation.	\$ 433,000
Moravia Road Resurfacing (Pulaski-Harbor Tunnel)	
Motor Vehicle Fund Appropriation.	\$ 539,000
Moravia Road Resurfacing (Walther to Harford)	
Motor Vehicle Fund Appropriation.	\$ 145,000
O'Donnell Street Resurfacing (Lakewood to Conkling)	
Federal Fund Appropriation.	\$ 400,000
Motor Vehicle Fund Appropriation.	\$ 100,000
Old Harford Road Resurfacing (Harford-Northern Parkway)	
Motor Vehicle Fund Appropriation.	\$ 212,000
Gay Street Reconstruction/Widen (North to Oliver)	
Motor Vehicle Fund Appropriation.	\$ 400,000
Orleans Street Resurfacing (Lakewood to Kenwood)	
Motor Vehicle Fund Appropriation.	\$ 200,000
Orleans Street Reconstruction (Central to Wolfe)	
Motor Vehicle Fund Appropriation.	\$ 120,000
Pimlico Road Reconstruction (Ken Oak to Cross Country)	
Motor Vehicle Fund Appropriation.	\$ 115,000
Ponca Street Widen/Reconstruction (Boston-O'Donnell)	
Motor Vehicle Fund Appropriation.	\$ 100,000
Relcrest Road Reconstruction (Frankford to Denview)	
Motor Vehicle Fund Appropriation.	\$ 60,000
Saratoga Street Resurfacing (Bentalou to Gilmor)	
Motor Vehicle Fund Appropriation.	\$ 308,000
Stadium Area Transportation Improvements	
Motor Vehicle Fund Appropriation.	\$ 9,000,000
Washington Boulevard Resurfacing (Western to Wyeth)	
Motor Vehicle Fund Appropriation.	\$ 18,000
Roslyn Avenue Reconstruction (Gwynns Falls to Duvall)	
Motor Vehicle Fund Appropriation.	\$ 119,000
Howard Street Widening (20th Street to 21st Street)	
Motor Vehicle Fund Appropriation.	\$ 500,000
Wilkins Avenue Median Repair and Landscaping	
Motor Vehicle Fund Appropriation.	\$ 350,000
Vail Street Relocation (Keith to Newgate)	
State Fund Appropriation.	\$ 1,700,000

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Motor Vehicle Fund Appropriation.	\$ 500,000
Other Special Fund Appropriation.	\$ 1,800,000
Ottawa Avenue Reconstruction (Ellamont to Forest Hill)	
Motor Vehicle Fund Appropriation.	\$ 191,000
James Street Reconstruction (Wilmington to Wickes)	
Motor Vehicle Fund Appropriation.	\$ 166,000
Wickes Avenue Reconstruction (Washington to Herkimer)	
Motor Vehicle Fund Appropriation.	\$ 166,000
Hillen/Holliday/Saratoga Rechannelization	
Motor Vehicle Fund Appropriation.	\$ 360,000
I-895 Hopkins/Bayview Ramp & Ponca Street Relocation	
Federal Fund Appropriation.	\$ 5,300,000
Other Special Fund Appropriation.	\$ 1,000,000
Martin Luther King Boulevard Modification	
Federal Fund Appropriation.	\$ 1,148,000
Motor Vehicle Fund Appropriation.	\$ 202,000
Liberty Heights Avenue (Reisterstown Road) Improvement	
Federal Fund Appropriation.	\$ 850,000
Motor Vehicle Fund Appropriation.	\$ 150,000
Hanover Street Bridge Over the Middle Branch	
Federal Fund Appropriation.	\$ 3,468,000
Motor Vehicle Fund Appropriation.	\$ 612,000
Wolfe Street Rehabilitation (Preston to North)	
Federal Fund Appropriation.	\$ 273,000
Motor Vehicle Fund Appropriation.	\$ 48,000
Cathedral Street Resurfacing (Saratoga to Chase)	
Motor Vehicle Fund Appropriation.	\$ 399,000
Hamburg Street Bridge Over the B&O Railroad	
Federal Fund Appropriation.	\$ 3,248,000
Motor Vehicle Fund Appropriation.	\$ 812,000
Other Special Fund Appropriation.	\$ 482,000
Mossway Reconstruction (Lake Avenue to Gittings Avenue)	
Motor Vehicle Fund Appropriation.	\$ 275,000
Thames Street Reconstruction (Philpot to Broadway)	
Motor Vehicle Fund Appropriation.	\$ 388,000
Wolfe Street Reconstruction (Thames to Fell)	
Motor Vehicle Fund Appropriation.	\$ 140,000
Ogden Street Reconstruction (O'Donnell to Fait)	
Motor Vehicle Fund Appropriation.	\$ 147,000
Rogers Avenue (Greenspring-Northern Parkway)	
Motor Vehicle Fund Appropriation.	\$ 2,074,000
Carlisle Avenue Reconstruction (Garrison to Elsinore)	
Motor Vehicle Fund Appropriation.	\$ 234,000
Commercial Revitalization Street Improvements	
Motor Vehicle Fund Appropriation.	\$ 150,000
Market Center - Street Improvements	
Motor Vehicle Fund Appropriation.	\$ 150,000
Housing and Community Development Streets	
Motor Vehicle Fund Appropriation.	\$ 696,000
Economic Development Street Improvements	
Motor Vehicle Fund Appropriation.	\$ 150,000
Preston Street Resurfacing (Fallsway to Harford)	
Federal Fund Appropriation.	\$ 284,000
Motor Vehicle Fund Appropriation.	\$ 71,000
Aisquith Street Resurfacing (Monument to Harford)	
Motor Vehicle Fund Appropriation.	\$ 209,000

Scott Street Resurfacing (Washington to Lombard)	
Motor Vehicle Fund Appropriation.	\$ 173,000
Schroeder Street Resurfacing (Pratt to Mulberry)	
Motor Vehicle Fund Appropriation.	\$ 14,000
Baltimore Street Resurfacing (Martin Luther King Boulevard to Monroe)	
Motor Vehicle Fund Appropriation.	\$ 596,000
Franklinton Road (Baltimore to Frederick)	
Motor Vehicle Fund Appropriation.	\$ 176,000
Fayette Street Resurfacing (Warwick to Monroe)	
Motor Vehicle Fund Appropriation.	\$ 263,000
President Street Reconstruction (Fleet to Lancaster)	
Motor Vehicle Fund Appropriation.	\$ 505,000
Aliceanna Street Reconstruction (Falls to President)	
Other Special Fund Appropriation.	\$ 191,000
Park Avenue Resurfacing (Fayette to Chase)	
Motor Vehicle Fund Appropriation.	\$ 481,000
Centre Street Resurfacing (Eutaw to St. Paul)	
Motor Vehicle Fund Appropriation.	\$ 232,000
Fayette Street Resurfacing (Greene to Martin Luther King Boulevard)	
Motor Vehicle Fund Appropriation.	\$ 211,000
Minor Street Design and Feasibility Studies	
Motor Vehicle Fund Appropriation.	\$ 150,000
Patapsco Avenue (Potee to Pennington)	
Motor Vehicle Fund Appropriation.	\$ 1,335,000
Mulberry Street Reconstruction (Greene to Charles)	
Motor Vehicle Fund Appropriation.	\$ 2,200,000
Ellamont Street Reconstruction (Ottawa to Clarinda)	
Motor Vehicle Fund Appropriation.	\$ 80,000
Dover Street Reconstruction (Fulton to Dead End)	
Motor Vehicle Fund Appropriation.	\$ 14,000
Casadel Avenue Reconstruction (Herkimer to Dead End)	
Motor Vehicle Fund Appropriation.	\$ 182,000
Chateau Avenue Reconstruction (York Road to Govane Avenue)	
Motor Vehicle Fund Appropriation.	\$ 26,000
Linkwood Road Resurfacing (University to Overhill)	
Motor Vehicle Fund Appropriation.	\$ 138,000
Roadway Capacity and Safety Improvements	
Motor Vehicle Fund Appropriation.	\$ 500,000
Eager Street Bridge and Fallsway Viaduct	
Federal Fund Appropriation.	\$ 2,157,000
Motor Vehicle Fund Appropriation.	\$ 381,000
Sisson Street Bridge Over the B&O Railroad	
Motor Vehicle Fund Appropriation.	\$ 152,000
Hilton Parkway Safety Improvements	
Federal Fund Appropriation.	\$ 5,563,000
Motor Vehicle Fund Appropriation.	\$ 1,437,000
Windsor Mill Road - Wetheredsville - Gwynns Falls	
Motor Vehicle Fund Appropriation.	\$ 650,000
Salt Domes Replacement (Lewin and Gay Streets)	
Motor Vehicle Fund Appropriation.	\$ 450,000
Mapping Program - Highways	
Motor Vehicle Fund Appropriation.	\$ 150,000
Light Rail Transit System	
State Fund Appropriation.	\$ 1,000,000
Construction Reserve - Highways Major Reconstruction	

Motor Vehicle Fund Appropriation. \$ 10,000,000
 Provided that the foregoing Capital Improvement
 Appropriation herein made is for the following project:
 Street Resurfacing Reserve Account
 Motor Vehicle Fund Appropriation. \$ 10,000,000

Construction Reserve - Interstate Joint Development

Revenue Bond Fund Appropriation \$ 225,000
 Federal Fund Appropriation. \$ 20,961,000
 Motor Vehicle Fund Appropriation. \$ 7,350,000
 Other Special Fund Appropriation. \$ 2,000,000

Provided that the foregoing Capital Improvement

Appropriations herein made are for the following projects:

I-95 Widening (Washington Boulevard - Caton Avenue)

Federal Fund Appropriation. \$ 4,500,000
 Motor Vehicle Fund Appropriation. \$ 740,000

I-83 Reconstruction (Coldspring Lane Interchange)

Federal Fund Appropriation. \$ 9,075,000
 Motor Vehicle Fund Appropriation. \$ 2,425,000

I-83 (Guilford Avenue Bridge) Contract #10A

Federal Fund Appropriation. \$ 3,813,000
 Motor Vehicle Fund Appropriation. \$ 673,000

Penn Station Plaza and Parking Garage

Revenue Bond Fund Appropriation \$ 225,000
 Federal Fund Appropriation. \$ 3,249,000
 Motor Vehicle Fund Appropriation. \$ 3,456,000
 Other Special Fund Appropriation. \$ 2,000,000

I-83 Rehabilitation (Mainline Landscaping)

Federal Fund Appropriation. \$ 196,000
 Motor Vehicle Fund Appropriation. \$ 34,000

I-83 Rehabilitation (Sanitary Sewer Reconstruction)

Federal Fund Appropriation. \$ 128,000
 Motor Vehicle Fund Appropriation. \$ 22,000

Construction Reserve - Storm Water

Loan Fund Appropriation \$ 6,000,000
 State Fund Appropriation. \$ 1,235,000
 Motor Vehicle Fund Appropriation. \$ 6,445,000

Provided that the foregoing Capital Improvement

Appropriations herein made are for the following projects:

Lakewood Avenue Relief Drain - Phase IV

Loan Fund Appropriation \$ 6,000,000

Janney Run/Martin's Creek Storm Drain - Improvement

Motor Vehicle Fund Appropriation. \$ 2,000,000

Brooklyn Flood Control I-SW Management Pond

State Fund Appropriation. \$ 385,000
 Motor Vehicle Fund Appropriation. \$ 385,000

Brooklyn Flood Control II - SW Management

State Fund Appropriation. \$ 200,000
 Motor Vehicle Fund Appropriation. \$ 240,000

Druid Hill Avenue at North Storm Drain Construction

Motor Vehicle Fund Appropriation. \$ 150,000

Sunbrook Avenue Storm Drain - Construction

Motor Vehicle Fund Appropriation. \$ 110,000

Briarclift Road Storm Drain - Construction

Motor Vehicle Fund Appropriation.	\$ 200,000
Biddle Street Storm Drain - Construction	
Motor Vehicle Fund Appropriation.	\$ 98,000
Flood Plain Management Program	
State Fund Appropriation.	\$ 500,000
Motor Vehicle Fund Appropriation.	\$ 500,000
Terra Firma Storm Drain - Construction	
Motor Vehicle Fund Appropriation.	\$ 140,000
I-95 Drainage Improvements - Erosion Control	
Motor Vehicle Fund Appropriation.	\$ 265,000
Ritter Avenue Storm Drain - Construction	
Motor Vehicle Fund Appropriation.	\$ 325,000
Loyola Northway Storm Drain - Rehabilitation	
Motor Vehicle Fund Appropriation.	\$ 170,000
Western Run Erosion Control	
Motor Vehicle Fund Appropriation.	\$ 500,000
Maiden's Choice Erosion Control II	
Motor Vehicle Fund Appropriation.	\$ 2,000
Maiden's Choice Run Erosion Control I	
Motor Vehicle Fund Appropriation.	\$ 700,000
Stony Run Erosion Control	
Motor Vehicle Fund Appropriation.	\$ 520,000
Storm Drain Facilities - Study	
Motor Vehicle Fund Appropriation.	\$ 120,000
Lower Gwynns Falls Flood Control - Construction	
State Fund Appropriation.	\$ 150,000
Motor Vehicle Fund Appropriation.	\$ 20,000
Construction Reserve - Street Lighting	
Motor Vehicle Fund Appropriation.	\$ 2,000,000
Provided that the foregoing Capital Improvement	
Appropriation herein made is for the following project:	
Street Lights and Poles - Replacement	
Motor Vehicle Fund Appropriation.	\$ 2,000,000
Construction Reserve - Traffic Engineering	
Federal Fund Appropriation.	\$ 900,000
State Fund Appropriation.	\$ 50,000
Motor Vehicle Fund Appropriation.	\$ 2,000,000
Other Special Fund Appropriation.	\$ 50,000
Mayor & City Council Real Property Fund Appropriation	\$ 3,000,000
Provided that the foregoing Capital Improvement	
Appropriations herein made are for the following projects:	
Helipoint Relocation	
Federal Fund Appropriation.	\$ 900,000
State Fund Appropriation.	\$ 50,000
Motor Vehicle Fund Appropriation.	\$ 50,000
Pavement Marking Program - Various Locations	
Motor Vehicle Fund Appropriation.	\$ 500,000
Traffic Signal Improvement (Various Locations)	
Motor Vehicle Fund Appropriation.	\$ 700,000
Conway Street Sign Shop Relocation	
Mayor & City Council Real Property Fund Appropriation	\$ 3,000,000
Major Sign Program - Various Locations	
Motor Vehicle Fund Appropriation.	\$ 250,000
Other Special Fund Appropriation.	\$ 50,000

New Traffic Signals Installation

Motor Vehicle Fund Appropriation. \$ 500,000

URBAN SERVICES AGENCY

Construction Reserve

General Fund Appropriation. \$ 245,000

Provided that the foregoing Capital Improvement

Appropriation herein made is for the following projects:

Urban Services Center - Urban Services East

General Fund Appropriation. \$ 145,000

Greenmount West - Improvements

General Fund Appropriation. \$ 100,000

SEC. 2. AND BE IT FURTHER ORDAINED, That the amount set forth in Section 1 above designated deappropriation and enclosed in parentheses shall revert to the surplus of the respective fund and be available for appropriation by this or subsequent ordinances.

SEC. 3. AND BE IT FURTHER ORDAINED, That no part of the amounts appropriated in this Ordinance of Estimates shall be made available to pay for costs of any capital project not specifically approved through this Ordinance of Estimates or without the prior consent of the City Council; and provided further that no part of the amounts appropriated in this Ordinance of Estimates shall be made available to any agency without the prior approval of the City Council to pay for occupancy, by lease or otherwise, of any facility whose costs exceed the amounts provided in the detail supporting this Ordinance of Estimates.

SEC. 4. AND BE IT FURTHER ORDAINED, That the foregoing appropriations and deappropriation in summary consist of:

<u>Fund</u>	<u>Operating</u>	<u>Capital</u>	<u>Total</u>
General	\$--755,465,000	\$ 5,510,000	\$--760,975,000
	\$ 755,138,441		\$ 760,648,441
Education	344,249,000	0	344,249,000
Higher Education	19,068,000	0	19,068,000
Motor Vehicle	99,625,151	68,287,000	167,912,151
Federal Grants	147,553,869	79,445,000	226,998,869
State Grants	81,705,813	43,109,000	124,814,813
Water Utility	47,756,970	275,000	48,031,970
Waste Water Utility	73,938,078	377,000	74,315,078
Loan & Guarantee Enterprise	3,274,757	0	3,274,757
Parking Enterprise	6,925,000	0	6,925,000
Special	11,179,785	106,301,000*	117,480,785
City Loan	0	42,500,000	42,500,000
	<u>\$1,598,741,423</u>	<u>\$345,804,000</u>	<u>\$1,936,545,423</u>
	\$1,590,414,864		\$1,936,218,864

*Consisting Of:

County Grants.....\$21,332,000
 Revenue Bonds & Notes.....\$57,765,000
 M&CC Real Property Account.....\$ 4,250,000

Builders & Property Owners.....\$ 9,490,000
Other Fund Sources.....\$13,464,000

Approved by the Board of Estimates
May 25, 1988

MARY PAT CLARKE
President

KURT L. SCHMOKE
Mayor

HYMAN AARON PRESSMAN
Comptroller

GEORGE G. BALOG
Director of Public Works

NEAL M. JANEY
City Solicitor

BOARD OF ESTIMATES

June 30, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 101

(Council No. 261)

AN ORDINANCE concerning

TO LEVY AND COLLECT A TAX

FOR the use of the Mayor and City Council of Baltimore for the
period of July 1, 1988 through June 30, 1989.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF
BALTIMORE, That for the period July 1, 1988 through June 30,
1989, a tax of Six Dollars (\$6.00) be and the same is hereby
levied and imposed on every One Hundred Dollars (\$100.00) of
assessed or assessable value of property in the City of Baltimore
excepting such property as may by provisions of law be exempted
from this rate) for the use of the Mayor and City Council of
Baltimore, and said tax shall be collected and paid in the manner
prescribed by law.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance
shall take effect on the date of its enactment.

June 30, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 102

(Council No. 262)

AN ORDINANCE concerning

SUPPLEMENTARY GENERAL FUND OPERATING APPROPRIATION -
DEPARTMENT OF EDUCATION

FOR the purpose of providing a supplementary general fund operating appropriation in the amount of Two Million Dollars (\$2,000,000) to the Department of Education (Program 725 - General Fund Support) to be used for additional operating expenses.

By authority of
Article VI - Board of Estimates
Section 2(h)(3)
Baltimore City Charter (1964 Revision, as amended)

WHEREAS, The money appropriated herein represents revenue produced by Income Tax (\$2,000,000), in excess of the amount from this source estimated and relied upon by the Board of Estimates in determining the tax levy required to balance the budget for the 1988 fiscal year, and is therefore available for appropriation to the Department of Education (Program 725 - Additional Operating Expenses) pursuant to the provisions of Article VI, Section 2(h)(3) of the Baltimore City Charter (1964 Revision, as amended); and

WHEREAS, The additional sum appropriated herein is for a new program which could not reasonably be anticipated at the time of the formulation of the proposed Ordinance of Estimates for the fiscal year ending June 30, 1988, in accordance with Article VI, Section 2 (h)(3) of said Charter; and

WHEREAS, The supplementary general fund operating appropriation has been recommended to the City Council by the Board of Estimates at a regular meeting of the Board held on the 25th day of May, 1988, all in accordance with Article VI, Section 2(h)(3) of the Baltimore City Charter (1964 Revision, as amended); now, therefore

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That under the provisions of Article VI, Section 2(h)(3) of the 1964 Revision of the Charter of Baltimore City, as amended, the sum of Two Million Dollars (\$2,000,000) shall be made available to the Department of Education (Program 725 - General Fund Support) of the City of Baltimore as a supplementary general fund operating appropriation for the fiscal year ending June 30, 1988, for the purpose of additional operating expenses. The amount thus made available as a supplementary general fund operating appropriation shall be expended from revenue produced by Income Tax, said amount being in excess of the amount from this source which was estimated and relied upon by the Board of

UNIVERSITY OF MARYLAND
AT COLLEGE PARK LIBRARIES

Estimates in determining the tax levy required to balance the budget for the 1988 fiscal year; and said funds from said Income Tax shall be the source of revenue for this supplementary general fund operating appropriation, as required by Article VI, Section 2 (h) (3) of the Baltimore City Charter (1964 Revision, as amended).

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect from the date of its enactment.

June 30, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 103

(Council 263)

AN ORDINANCE concerning

SUPPLEMENTARY GENERAL FUND CAPITAL APPROPRIATION -
DEPARTMENT OF PUBLIC WORKS

FOR the purpose of providing a supplementary general fund capital appropriation in the amount of One Hundred Ninety One Thousand Nine Hundred Sixty One Dollars and Ninety Five Cents (\$191,961.95) to the Department of Public Works (9916-197-134) to be used for the City-wide Asbestos Management Program.

By authority of
Article VI - Board of Estimates
Section 2(h)(3)
Baltimore City Charter (1964 Revision as amended)

WHEREAS, The money appropriated herein represents revenue produced by excess proceeds from accumulated interest earnings of the Federal Revenue Sharing Program in excess of the amount from this source estimated and relied upon by the Board of Estimates in determining the tax levy required to balance the budget for the 1988 fiscal year, and is therefore available for appropriation to the Department of Public Works pursuant to the provisions of Article VI, Section 2(h)(3) of the Baltimore City Charter (1964 Revision, as amended); and

WHEREAS, The additional sum appropriated herein is for a new program which could not reasonably be anticipated at the time of the formulation of the proposed Ordinance of Estimates for the fiscal year ending June 30, 1988, in accordance with Article VI, Section 2 (h)(3) of said Charter; and

WHEREAS, the supplementary general fund capital appropriation has been recommended to the City Council by the Board of Estimates, at a regular meeting of the Board held on the

25th day of May, 1988, all in accordance with Article VI, Section 2(h)(3) of the Baltimore City Charter (1964 Revision, as amended); now, therefore

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That under the provisions of Article VI, Section 2(h)(3) of the 1964 Revision of the Charter of Baltimore City, as amended, the sum of One Hundred Ninety One Thousand Nine Hundred Sixty One Dollars and Ninety Five Cents (\$191,961.95) shall be made available to the Department of Public Works (9916-197-134) of the City of Baltimore as a supplementary general fund capital appropriation for the fiscal year ending June 30, 1988, for the purpose of providing for the City-wide Asbestos Management Program. The amount thus made available as a supplementary general fund capital appropriation shall be expended from revenue derived from accumulated interest earnings of the Federal Revenue Sharing Program, said amount being in excess of the amount from this source which was estimated and relied upon by the Board of Estimates in determining the tax levy required to balance the budget for the 1988 fiscal year; and said funds from said accumulated interest earnings of the Federal Revenue Sharing Program shall be the source of revenue for this supplementary general fund capital appropriation, as required by Article VI, Section 2(h)(3) of the Baltimore City Charter (1964 Revision, as amended).

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect from the date of its enactment.

June 30, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 104

(Council No. 264)

AN ORDINANCE concerning

SUPPLEMENTARY SPECIAL FUND CAPITAL APPROPRIATION -
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT\

FOR the purpose of providing a supplementary special fund capital appropriation in the amount of Four Hundred Five Thousand Dollars (\$405,000) to the Department of Housing and Community Development to complete, add to, or eliminate projects in the program of capital improvements included in the Federal Community Development Block Grant Program for Baltimore City (Year XIII).

BY authority of

Article VI - Board of Estimates

Section 2(h)(2)

Baltimore City Charter (1964 Revision, as amended)

WHEREAS, The money appropriated represents additional grant funds (Program Income) to the Community Development Block Grant Program for Year XIII which could not be expected with reasonable certainty at the time of the formulation of the 1988 Ordinance of Estimates; and

WHEREAS, The additional sum appropriated herein is to be spent to complete, add to, or eliminate projects in the program of capital improvements previously approved; and

WHEREAS, This supplementary special fund capital appropriation has been recommended to the City Council by the Board of Estimates at a regular meeting of the Board held on the 1st day of June, 1988, all in accordance with Article VI, Section 2(h)(2) of the Baltimore City Charter (1964 Revision, as amended); now, therefore

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That under the provisions of Article VI, Section 2(h)(2) of the 1964 Revision of the Charter of Baltimore City, as amended, the sum of Four Hundred Five Thousand Four Hundred Dollars (\$405,400) shall be made available to the Department of Housing and Community Development of the City of Baltimore as a year ending June 30, 1988, for the purpose of completing, adding to, or eliminating projects in the program of capital improvements included in the Federal Community Development Block Grant Program for Baltimore City (Year XIII), provided that said sum shall be added to support the modified program of projects in the following amended amounts:

CDBG (YEAR XIII)

Project	Original Amount	Amended Amount	Increase (Decrease)
Blacks in Wax	\$ 300,000	\$ 0	\$(300,000)
Coldstream/Homestead/ Montebello	361,000	460,600	99,600
Contingency Fund	300,000	0	(300,000)
Economic Development - BEDCO	285,000	0	(285,000)
Franklin Square	235,000	334,600	99,600
Housing Assistance Corp.	59,700	147,700	88,000
Inner Harbor East	20,000	520,000	500,000
Jonestown	0	222,700	222,700
Mondawmin	11,400	186,400	175,000
Mount Claire	0	4,300	4,300
North Avenue Terraces	795,200	920,200	125,000
North Avenue/Walbrook	238,000	305,300	67,300
Oliver	54,000	291,000	237,000
Outer City - Southwest	120,400	155,400	35,000
Park Heights	689,600	917,100	227,500
Poppleton	914,400	1,084,100	169,700
Property Services	2,421,000	1,975,000	(446,000)
Transitional Housing	200,000	411,500	211,500

Vacant House Initiative	1,900,000	1,400,000	(500,000)
Washington Village	155,400	129,600	(25,800)
Total	\$9,060,000	\$9,465,500	\$ 405,400

The amount hereby made available as a supplementary special fund capital appropriation shall be expended from the described federal grant money (program income); said sum being specifically allotted to the Mayor and City council for this purpose; and these funds shall be the source of revenue for this supplementary special fund capital appropriation, as required by Article VI, Section 2 of the Baltimore City Charter (1964 Revision, as amended).

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect from the date of its enactment.

June 30, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 105

(Council No. 265)

AN ORDINANCE concerning

SUPPLEMENTARY SPECIAL FUND OPERATING APPROPRIATION -
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

FOR the purpose of providing a supplementary special fund operating appropriation in the amount of Two Hundred THousand Dollars (\$200,000) to the Department of Housing and Community Development to be used for additional operating expenses in Program 593 - Community Support Projects.

BY authority of
Article VI - Board of Estimates
Section 2(h)(2)
Baltimore City Charter (1964 Revision, as amended)

WHEREAS. The money appropriated herein represents additional grant funds to the Community Development Block Grant Program for Year XII which could not be expected with reasonable certainty at the time of the formulation of the 1987 Ordinance of Estimates; and

WHEREAS, The additional sum appropriated herein is to be spent for additional operating expenses in Program 593 - Community Support Projects; and

WHEREAS, This supplementary special fund operating appropriation has been recommended to the City Council by the Board of Estimates at a regular meeting of the Board held on the

1st day of June, 1988, all in accordance with Article VI, Section 2(h)(2) of the Baltimore City Charter (1964 Revision, as amended); now, therefore

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That under the provisions of Article VI, Section 2(h)(2) of the 1964 Revision of the Charter of Baltimore City, as amended, the sum of Two Hundred Thousand Dollars (\$200,000) shall be made available to the Department of Housing and Community Development of the City of Baltimore as a supplementary special fund operating appropriation for the fiscal year ending June 30, 1988, for the purpose of additional operating expenses in Program 593 - Community Support Projects. The amount thus made available as a supplementary special fund operating appropriation shall be expended from the described federal grant money; said amount being specifically allotted to the Mayor and City Council for this purpose and these funds shall be the source of revenue for this supplementary special fund operating appropriation, as required by Article VI, Section 2(h)(2) of the Baltimore City Charter (1964 Revision, as amended).

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect from the date of its enactment.

June 30, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 106

(Council No. 266)

AN ORDINANCE concerning

SUPPLEMENTARY MOTOR VEHICLE FUND OPERATING APPROPRIATION -
DEPARTMENT OF EDUCATION

FOR the purpose of providing a supplementary motor vehicle fund operating appropriation in the amount of Five Hundred Thousand Dollars (\$500,000) to the Department of Education (Program 713 - Pupil Transportation) to be used for additional operating expenses.

By authority of

Article VI - Board of Estimates

Section 2(h)(3)

Baltimore City Charter (1964 Revision, as amended)

WHEREAS, The money appropriated herein represents revenue produced by Licenses (\$500,000), in excess of the amount from this source estimated and relied upon by the Board of Estimates in determining the tax levy required to balance the budget for the 1988 fiscal year, and is therefore available for appropriation to the Department of Education (Program 713 - Pupil Transportation) pursuant to the provisions of Article VI, Section 2(h)(3) of the

Baltimore City Charter (1964 Revision, as amended); and

WHEREAS, The additional sum appropriated herein is for a new program which could not reasonably be anticipated at the time of the formulation of the proposed Ordinance of Estimates for the fiscal year ending June 30, 1988, in accordance with Article VI, Section 2 (h)(3) of said Charter; and

WHEREAS, The supplementary motor vehicle fund operating appropriation has been recommended to the City Council by the Board of Estimates at a regular meeting of the Board held on the 25th day of May, 1988, all in accordance with Article VI, Section 2(h)(3) of the Baltimore City Charter (1964 Revision, as amended); now, therefore

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That under the provisions of Article VI, Section 2(h)(3) of the 1964 Revision of the Charter of Baltimore City, as amended, the sum of Five Hundred Thousand Dollars (\$500,000) shall be made available to the Department of Education (Program 713 - Pupil Transportation) of the City of Baltimore as a supplementary motor vehicle fund operating appropriation by the Board of Estimates in determining the tax levy required for the fiscal year ending June 30, 1988, for the purpose of additional operating expenses. The amount thus made available as a supplementary motor vehicle fund operating appropriation shall be expended from revenue produced by Licenses, said amount being in excess of the amount from this source which was estimated and relied upon by the Board of Estimates in determining the tax levy required to balance the budget for the 1988 fiscal year; and said funds from said Licenses shall be the source of revenue for this supplementary motor vehicle fund operating appropriation, as required by Article VI, Section 2 (h)(3) of the Baltimore City Charter (1964 Revision, as amended).

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect from the date of its enactment.

June 30, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 107

(Council No. 268)

AN ORDINANCE concerning

SUPPLEMENTARY EDUCATION FUND OPERATING APPROPRIATION -
DEPARTMENT OF EDUCATION

FOR the purpose of providing a supplementary education fund operating appropriation in the amount of Two Million Four Hundred Thousand Dollars (\$2,400,000) to the Department of

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Education (Program 722 - Special Education) to be used for additional operating expenses.

BY authority of
Article VI - Board of Estimates
Section 2(h)(3)
Baltimore City Charter (1964 Revision, as amended)

WHEREAS, The money appropriated herein represents revenue produced by State Aid - Non-Public Placements (\$2,400,000), in excess of the amount from this source estimated and relied upon by the Board of Estimates in determining the tax levy required to balance the budget for the 1988 fiscal year, and is therefore available for appropriation to the Department of Education (Program 722 - Special Education) pursuant to the provisions of Article VI, Section 2(h)(3) of the Baltimore City Charter (1964 Revision, as amended); and

WHEREAS, The additional sum appropriated herein is for a new program which could not reasonably be anticipated at the time of the formulation of the proposed Ordinance of Estimates for the fiscal year ending June 30, 1988, in accordance with Article VI, Section 2(h)(3) of said Charter; and

WHEREAS, This supplementary education fund operating appropriation has been recommended to the City Council by the Board of Estimates at a regular meeting of the Board held on the 25th day of May, 1988, all in accordance with Article VI, Section 2(h)(3) of the Baltimore City Charter (1964 Revision, as amended); now, therefore

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That under the provisions of Article VI, Section 2(h)(3) of the 1964 revision of the Charter of Baltimore City, as amended, the sum of Two Million Four Hundred Thousand Dollars (\$2,400,000) shall be made available to the Department of Education (Program 722 - Special Education) of the City of Baltimore as a supplementary education fund operating appropriation for the fiscal year ending June 30, 1988 for the purpose of additional operating expenses. The amount thus made available as a supplementary education fund operating appropriation shall be expended from revenue produced by State Aid - Non-Public Placements, said amount being in excess of the amount from this source which was estimated and relied upon by the Board of Estimates in determining the tax levy required to balance the budget for the 1988 fiscal year; and said funds from said State Aid - Non-Public Placements shall be the source of revenue for this supplementary education fund operating appropriation, as required by Article VI, Section 2(h)(3) of the Baltimore City Charter (1964 Revision, as amended).

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

June 30, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 108

(Council No. 269)

AN ORDINANCE concerning

SUPPLEMENTARY GENERAL FUND OPERATING APPROPRIATION -
MAYORALTY RELATED - B/E MISCELLANEOUS GENERAL EXPENSES

FOR the purpose of providing a supplementary general fund operating appropriation in the amount of Two Million Seven Hundred Fifty Thousand Dollars (\$2,750,000) to Mayoralty Related - B/E Miscellaneous General Expenses (Program 122 - Miscellaneous General Expenses) to be used for additional operating expenses.

By authority of

Article VI - Board of Estimates

Section 2(h)(3)

Baltimore City Charter (1964 Revision, as amended)

WHEREAS, the money appropriated herein represents revenue produced by Income Tax (\$1,975,000), Savings Bank Taxes (\$400,000) and Sales Tax - Electricity (\$375,000) in excess of the amount from this source estimated and relied upon by the Board of Estimates in determining the tax levy required to balance the budget for the 1988 fiscal year, and is therefore available for appropriation to the Mayoralty Related - B/E Miscellaneous General Expenses (Program 122 - Miscellaneous General Expenses) pursuant to the provisions of Article VI, Section 2(h)(3) of the Baltimore City Charter (1964 Revision as amended); and

WHEREAS, The additional sum appropriated herein is for a new program which could not reasonably be anticipated at the time of the formulation of the proposed Ordinance of Estimates for the fiscal year ending June 30, 1988, in accordance with Article VI, Section 2 (h)(3) of said Charter; and

WHEREAS, This supplementary general fund operating appropriation has been recommended to the City Council by the Board of Estimates at a regular meeting of the Board held on the 25th day of May, 1988, all in accordance with Article VI, Section 2(h)(3) of the Baltimore City Charter (1964 Revision, as amended); now, therefore

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That under the provisions of Article VI, Section 2(h)(3) of the 1964 Revision of the Charter of Baltimore City, as amended, the sum of Two Million Seven Hundred Fifty Thousand Dollars (\$2,750,000) shall be made available to the Mayoralty Related - B/E Miscellaneous General Expenses (Program 122 - Miscellaneous General Expenses) of the City of Baltimore as a supplementary general fund operating appropriation for the fiscal year ending June 30, 1988, for the purpose of additional operating expenses. The amount thus made available as a supplementary general fund operating appropriation shall be expended from revenue produced by Income Tax, Savings Bank Taxes and Sales Tax - Electricity, said amount being in excess of the amount from this source which was estimated and relied upon by the Board of Estimates in determining the tax levy required to balance the budget for the 1988 fiscal year; and said funds from said Income Tax, Savings Bank Taxes and Sales Tax - Electricity shall be the source of revenue for this supplementary general fund operating appropriation, as required by Article VI, Section 2 (h)(3) of the Baltimore City Charter (1964 Revision, as amended).

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect from the date of its enactment.

June 30, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 109

(Council No. 270)

AN ORDINANCE concerning

SUPPLEMENTARY GENERAL FUND OPERATING APPROPRIATION -
BALTIMORE CITY JAIL

FOR the purpose of providing a supplementary general fund operating appropriation in the amount of Four Million Two Hundred Thousand Dollars (\$4,200,000) to Baltimore City Jail (Program 290 - Care and Custody of Prisoners) to be used for additional operating expenses.

By authority of

Article VI - Board of Estimates

Section 2(h)(3)

Baltimore City Charter (1964 Revision, as amended)

WHEREAS, the money appropriated herein represents revenue produced by Income Tax (\$4,200,000), in excess of the amount from this source estimated and relied upon by the Board of Estimates in determining the tax levy required to balance the budget for the 1988 fiscal year, and is therefore available for appropriation to the Baltimore City Jail (Program 290 - Care and Custody of Prisoners) pursuant to the provisions of Article VI,

Section 2(h)(3) of the Baltimore City Charter (1964 Revision, as amended); and

WHEREAS, The additional sum appropriated herein is for a new program which could not reasonably be anticipated at the time of the formulation of the proposed Ordinance of Estimates for the fiscal year ending June 30, 1988, in accordance with Article VI, Section 2 (h)(3) of said Charter; and

WHEREAS, This supplementary general fund operating appropriation has been recommended to the City Council by the Board of Estimates at a regular meeting of said Board held on the 25th day of May, 1988, all in accordance with Article VI, Section 2(h)(3) of the Baltimore City Charter (1964 Revision, as amended); now, therefore

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That under the provisions of Article VI, Section 2(h)(3) of the 1964 Revision of the Charter of Baltimore City, as amended, the sum of Four Million Two Hundred Thousand Dollars (\$4,200,000) shall be made available to the Baltimore City Jail (Program 290 - Care and Custody of Prisoners) of the City of Baltimore as a supplementary general fund operating appropriation for the fiscal year ending June 30, 1988, for the purpose of additional operating expenses. The amount thus made available as a supplementary general fund operating appropriation shall be expended from revenue produced by Income Tax, said amount being in excess of the amount from this source which was estimated and relied upon by the Board of Estimates in determining the tax levy required to balance the budget for the 1988 fiscal year; and said funds from said Income Tax shall be the source of revenue for this supplementary general fund operating appropriation, as required by Article VI, Section 2 (h)(3) of the Baltimore City Charter (1964 Revision, as amended).

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect from the date of its enactment.

June 30, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 110

(Council No. 271)

AN ORDINANCE concerning

SUPPLEMENTARY SPECIAL FUND CAPITAL APPROPRIATION -
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

FOR the purpose of providing a supplementary special fund capital appropriation in the amount of One Thousand Three Hundred Dollars (\$1,300) to the Department of Housing and Community Development to complete, add to, or eliminate projects in

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the program of capital improvements included in the Federal Community Development Block Grant Program for Baltimore City (Year XII).

By authority of

Article VI - Board of Estimates

Section 2(h)(2)

Baltimore City Charter (1964 Revision, as amended)

WHEREAS, The money appropriated represents additional grant funds (Program Income) to the Community Development Block Grant Program for Year XII which could not be expected with reasonable certainty at the time of the formulation of the 1987 Ordinance of Estimates; and

WHEREAS, The additional sum appropriated herein is to be spent to complete, add to, or eliminate projects in the program of capital improvements previously approved; and

WHEREAS, This supplementary special fund capital appropriation has been recommended to the City Council by the Board of Estimates at a regular meeting of the Board held on the 25th day of May, 1988, all in accordance with Article VI, Section 2(h)(2) of the Baltimore City Charter (1964 Revision, as amended); now, therefore

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That under the provisions of Article VI, Section 2(h)(2) of the 1964 Revision of the Charter of Baltimore City, as amended, the sum of One Thousand Three Hundred Dollars (\$1,300) shall be made available to the Department of Housing and Community Development of the City of Baltimore as a supplementary special fund capital appropriation for the fiscal year ending June 30, 1988, for the purpose of completing, adding to, or eliminating projects in the program of capital improvements included in the Federal Community Development Block Grant Program for Baltimore City (Year XII), provided that said sum shall be added to support the modified program of projects in the following amended amounts:

CDBG (YEAR XII)

Project	Original Amount	Amended Amount	Increase (Decrease)
Economic Development -			
BEDCO	\$ 835,000	\$ 645,000	\$(190,000)
Market Center	2,522,600	2,828,500	305,900
Middle East	532,100	592,100	60,000
Property Services	1,787,700	1,797,700	10,000
Scattered Site			
Improvements	200,000	0	(200,000)
Washington Hill-			
Chapel	431,900	447,300	15,400
Total	\$6,309,300	\$6,310,600	\$ 1,300

The amount hereby made available as a supplementary special fund capital appropriation shall be expended from the described federal grant money (program income); said sum being specifically allotted to the mayor and City Council for this purpose; and these funds shall be the source of revenue for this supplementary special fund capital appropriation, as required by Article VI, Section 2 of the Baltimore City Charter (1964 Revision, as amended).

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect from the date of its enactment.

June 30, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 111

(Council No. 272)

AN ORDINANCE concerning

SUPPLEMENTARY EDUCATION FUND OPERATING APPROPRIATION -
DEPARTMENT OF EDUCATION

FOR the purpose of providing a supplementary education fund operating appropriation in the amount of Two Million Dollars (\$2,000,000) to the Department of Education (Program 713 - Pupil Transportation) to be used for additional operating expenses.

By authority of

Article VI - Board of Estimates

Section 2(h)(3)

Baltimore City Charter (1964 Revision, as amended)

WHEREAS, The money appropriated herein represents revenue produced by Local Share - General Fund (\$2,000,000), in excess of the amount from this source estimated and relied upon by the Board of Estimates in determining the tax levy required to balance the budget for the 1988 fiscal year, and is therefore available for appropriation to the Department of Education (Program 713 - Pupil Transportation) pursuant to the provisions of Article VI, Section 2(h)(3) of the Baltimore City Charter (1964 Revision, as amended); and

WHEREAS, The additional sum appropriated herein is for a new program which could not reasonably be anticipated at the time of the formulation of the proposed Ordinance of Estimates for the fiscal year ending June 30, 1988, in accordance with Article VI, Section 2 (h)(3) of said Charter; and

WHEREAS, The supplementary education fund operating appropriation has been recommended to the City Council by the Board of Estimates at a regular meeting of the Board held on the 25th day of May, 1988, all in accordance with Article VI, Section 2(h)(3) of the Baltimore City Charter (1964 Revision, as amended); now, therefore

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That under the provisions of Article VI, Section 2(h)(3) of the 1964 Revision of the Charter of Baltimore City, as amended, the sum of Two Million Dollars (\$2,000,000) shall be made available to the Department of Education (Program 713 - Pupil Transportation) of the City of Baltimore as a supplementary education fund operating appropriation for the fiscal year ending June 30, 1988, for the purpose of additional operating expenses. The amount thus made available as a supplementary education fund operating appropriation shall be expended from revenue produced by Local Share - General Fund, said amount being in excess of the amount from this source which was estimated and relied upon by the Board of Estimates in determining the tax levy required to balance the budget for the 1988 fiscal year; and said funds from said Local Share - General Funds shall be the source of revenue for this supplementary education fund operating appropriation, as required by Article VI, Section 2 (h)(3) of the Baltimore City Charter (1964 Revision, as amended).

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect from the date of its enactment.

June 30, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 112

(Council No. 274)

AN ORDINANCE concerning

SUPPLEMENTARY SPECIAL FUND CAPITAL APPROPRIATION -
BALTIMORE CITY JAIL

FOR the purpose of providing a supplementary special fund capital appropriation in the amount of Three Hundred Thousand Dollars (\$300,000) to Baltimore City Jail (9924-291-010) to be used for a 200 bed capacity expansion project.

BY authority of

Article VI - Board of Estimates
Section 2(h)(2)

Baltimore City Charter (1964 Revision, as amended)

WHEREAS, The money appropriated herein represents revenue produced by State Grant funds (\$300,000), in excess of the amount from this source estimated and relied upon by the Board of Estimates in determining the tax levy required to balance the budget for the 1988 fiscal year, and is therefore available for appropriation to the Baltimore City Jail (9924-291-010) pursuant to the provisions of Article VI, Section 2(h)(2) of the Baltimore City Charter (1964 Revision, as amended); and

WHEREAS, The additional sum appropriated herein is for a new program which could not reasonably be anticipated at the time of the formulation of the proposed Ordinance of Estimates for the fiscal year ending June 30, 1988, in accordance with Article VI, Section 2(h)(2) of said Charter; and

WHEREAS, This supplementary special fund capital appropriation has been recommended to the City Council by the Board of Estimates at a regular meeting of the Board held on the 25th day of May, 1988, all in accordance with Article VI, Section 2(h)(2) of the Baltimore City Charter (1964 Revision, as amended); now, therefore

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That under the provisions of Article VI, Section 2(h)(2) of the 1964 revision of the Charter of Baltimore City, as amended, the sum of Three Hundred Thousand Dollars (\$300,000) shall be made available to the Baltimore City Jail (9924-291-010) of the City of Baltimore as a supplementary special fund capital appropriation for the fiscal year ending June 30, 1988 for the purpose of a 200 bed expansion project. The amount thus made available as a supplementary special fund capital appropriation shall be expended from revenue produced by State Grant funds, said amount being in excess of the amount from this source which was estimated and relied upon by the Board of Estimates in determining the tax levy required to balance the budget for the 1988 fiscal year; and said funds from said State Grant funds shall be the source of revenue for this supplementary special fund capital appropriation, as required by Article VI, Section 2(h)(2) of the Baltimore City Charter (1964 Revision, as amended).

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

June 30, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 113

(Council No. 267)

AN ORDINANCE concerning

SUPPLEMENTARY GENERAL FUND CAPITAL APPROPRIATION -
BALTIMORE CITY JAIL

FOR the purpose of providing a supplementary general fund capital appropriation in the amount of Three Hundred Thousand Dollars (\$300,000) to Baltimore City Jail (9924-291-010) to be used for a 200 bed capacity expansion project.

BY authority of

Article VI - Board of Estimates

Section 2(h)(3)

Baltimore City Charter (1964 Revision, as amended)

WHEREAS, The money appropriated herein represents revenue produced by Income Tax (\$300,000), in excess of the amount from this source estimated and relied upon by the Board of Estimates in determining the tax levy required to balance the budget for the 1988 fiscal year, and is therefore available for appropriation to the Baltimore City Jail (9924-291-010) pursuant to the provisions of Article VI, Section 2(h)(3) of the Baltimore City Charter (1964 Revision, as amended); and

WHEREAS, The additional sum appropriated herein is for a new program which could not reasonably be anticipated at the time of the formulation of the proposed Ordinance of Estimates for the fiscal year ending June 30, 1988, in accordance with Article VI, Section 2(h)(3) of said Charter; and

WHEREAS, This supplementary general fund capital appropriation has been recommended to the City Council by the Board of Estimates at a regular meeting of the Board held on the 25th day of May, 1988, all in accordance with Article VI, Section 2(h)(3) of the Baltimore City Charter (1964 Revision, as amended); now, therefore

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That under the provisions of Article VI, Section 2(h)(3) of the 1964 revision of the Charter of Baltimore City, as amended, the sum of Three Hundred Thousand Dollars (\$300,000) shall be made available to the Baltimore City Jail (9924-291-010) of the City of Baltimore as a supplementary general fund capital appropriation for the fiscal year ending June 30, 1988 for the purpose of a 200 bed capacity expansion project. The amount thus made available as a supplementary general fund capital appropriation shall be expended from revenue produced by Income Tax, said amount being in excess of the amount from this source which was estimated and relied upon by the Board of Estimates in determining the tax levy required to balance the budget for the 1988 fiscal year; and said funds from said Income Tax shall be

the source of revenue for this supplementary general fund capital appropriation, as required by Article VI, Section 2(h)(3) of the Baltimore City Charter (1964 Revision, as amended).

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

June 30, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 114

(Council No. 273)

AN Ordinance concerning

SUPPLEMENTARY SPECIAL FUND CAPITAL APPROPRIATION -
DEPARTMENT OF PUBLIC WORKS - GENERAL SERVICES

FOR the purpose of providing a supplementary special fund capital appropriation in the amount of Six Million Five Hundred Fifty Three Thousand Dollars (\$6,553,000) to the Department of Public Works (9916-529-010) to be used for Marine Mammal Exhibit Facility construction on Pier 4 for the National Aquarium in Baltimore, Inc.

By authority of
Article VI - Board of Estimates
Section 2(h)(2)
Baltimore City Charter (1964 Revision, as amended)

WHEREAS, the money appropriated herein represents grants from private sources which could not be expected with reasonable certainty at the time of the formulation of the proposed Ordinance of Estimates for the fiscal year ending June 30, 1988, in accordance with Article VI, Section 2(h)(2) of the Baltimore City Charter (1964 Revision, as amended); and

WHEREAS, this supplementary special fund capital appropriation has been recommended to the City Council by the Board of Estimates at a regular meeting of the Board held on the 18th day of May, 1988, all in accordance with Article VI, Section 2(h)(2) of the Baltimore City Charter (1964 Revision, as amended).

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That under the provisions of Article VI, Section 2(h)(2) of the 1964 Revision of the Charter of Baltimore City, as amended, the sum of Six Million Five Hundred Fifty Three Thousand Dollars (\$6,553,000) shall be made available to the Department of Public Works - General Services of the City of Baltimore as a supplementary special fund capital appropriation for the fiscal

year ending June 30, 1988 for the purpose of Marine Mammal Exhibit Facility construction on Pier 4 for the National Aquarium in Baltimore, Inc. (Account 9916-529-010). The amount thus made available as a supplementary special fund capital appropriation shall be expended from grants from private sources which could not be expected with reasonable certainty at the time of formulation of the fiscal 1988 Ordinance of Estimates; and said funds from said grants from private sources shall be the source of revenue for this supplementary special fund capital appropriation, as required by Article VI, Section 2 of the Baltimore City Charter (1964 Revision, as amended).

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

June 30, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 115

(Council No. 203)

AN ORDINANCE concerning

BOND ISSUE - ZOO LOAN

FOR the purpose of authorizing the Mayor and City Council of Baltimore (pursuant to Resolution III of 1988 approved by the members of the General Assembly of Maryland representing Baltimore City), to issue and sell its certificates of indebtedness to an amount not exceeding One Million Five Hundred Thousand Dollars (\$1,500,000.00), the proceeds derived from the sale of the same to be used for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith, and the remainder of such proceeds shall be used for the acquisition, construction, reconstruction, installation, erection, protection, extension, enlargement, renovation or modernization of, and additions to, public park or recreational buildings, structures or facilities, including, but not limited to, the zoo located in Druid Hill Park; and for the acquisition and installation of equipment for any and all new facilities authorized to be constructed, erected or established under the provisions hereof, and for doing any and all things necessary, proper or expedient in connection with or pertaining to any or all of the matters or things hereinbefore mentioned; provided, however, that no part of such proceeds shall be used to pay costs not directly related to and required for the acquisition, construction, or completion or a specific physical improvement and the initial equipping thereof; limiting the use of the proceeds of the sale of the bonds to expenditures for capital

improvement projects having an estimated service life of not less than fifteen (15) years, and providing that such proceeds shall not be used for current operating expenses of the City or other Legal Entity; to confer and impose upon the Board of Finance of Baltimore City certain powers and duties; to authorize the submission of this Ordinance to the Legal voters of the City of Baltimore, for their approval or disapproval, at the General Election to be held in Baltimore City on Tuesday, the 8th day of November, 1988 and providing for the expenditure of the proceeds of sale of said certificates of indebtedness in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinance of Estimates of the Mayor and City Council of Baltimore.

WHEREAS, By Resolution III of 1988 approved by the Members of the General Assembly of Maryland representing Baltimore City, the Mayor and City Council of Baltimore is authorized to create a debt and to issue and sell its certificates of indebtedness (hereinafter called "bonds") as evidence thereof, to an amount not exceeding One Million Five Hundred Thousand Dollars (\$1,500,000.00) in the manner and upon the terms set forth in said Resolution, the net cash proceeds derived from the sale of said bonds, not exceeding the par value of said bonds, to be used for recreational and park purposes as authorized by said Resolution; and

WHEREAS, Funds are now needed for said purposes; ~~now~~; therefore,

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Mayor and City Council of Baltimore, acting by and through the Board of Finance of said municipality, be and it is hereby authorized and empowered to issue bonds of the Mayor and City Council of Baltimore to an amount not exceeding One Million Five Hundred Thousand Dollars (\$1,500,000.00), from time to time, as the same may be needed or required for the purposes hereinafter named and said bonds shall be sold by said Board of Finance from time to time and at such times as shall be requisite, and the proceeds derived from the sale of said bonds shall be used for the purposes hereinafter named, provided that this Ordinance shall not become effective unless it shall be approved by a majority of the votes of the legal voters of Baltimore City cast at the time and place hereinafter designated by this Ordinance.

SEC. 2. AND BE IT FURTHER ORDAINED, That:

(a) Said bonds shall be issued in denominations of not less than One Thousand Dollars (\$1,000.00) each, but may be in sums of One Thousand Dollars (\$1,000.00), or any suitable multiple thereof.

(b) Said bonds, or any part thereof, shall be issued in accordance with a serial maturity plan so worked out as to discharge the entire principal amount represented thereby within not more than forty (40) years from the date of their issuance; provided, however, that it shall not be necessary to provide for the maturity of any part of the principal amount represented by any of said bonds for the first five (5) years from the date of their issuance.

(c) Said bonds, when issued, shall bear interest at such rate or rates as may be determined by a majority of the Board of Finance by resolution at such time or times when any of said bonds are issued, and such interest shall be payable semi-annually.

SEC. 3. AND BE IT FURTHER ORDAINED, That a majority of the Board of Finance of the Mayor and City Council of Baltimore be, and they are hereby, authorized to pass a resolution or resolutions, from time to time, to determine and set forth any or all of the following:

(a) The amount of debt to be incurred by the Mayor and City Council of Baltimore at any particular time, and from time to time, under and pursuant to the provisions of this Ordinance; the date or dates when any bonds representing said debt, or any part thereof, are to mature, and the amount or amounts of said debt, or any part thereof, which shall mature upon the aforesaid date or dates; and the semi-annual dates in each year, during the entire period of time when any of said bonds are outstanding, when interest on any of said bonds shall be payable.

(b) The form or forms of the bonds representing the debt, or any part thereof, authorized to be issued under the provisions of this Ordinance at any particular time, including any interest coupons to be attached thereto; the provisions, if any, for the issuance of coupon bonds; the provisions, if any, for the issuance of fully registered bonds; the provisions, if any, for the registration as to principal of any coupon bonds; and the provisions, if any, for the conversion and reconversion into coupon bonds of any fully registered bonds or coupon bonds registered as to principal; the place or places for the payment of principal and interest of said bonds; and the date of said bonds issued at any particular time, and the right of redemption of said bonds by the City prior to maturity; and

(c) The time, place, manner and medium of advertisement of the readiness of the Board of Finance, acting for and on behalf of the Mayor and City Council of Baltimore, to receive bids for the purchase of the bonds authorized to be issued hereunder, or any part thereof; the form, terms and conditions of such bids; the time, place and manner of awarding bonds so bid for, including the right whenever any of the bonds authorized by this Ordinance are offered for sale and sold at the same time as other bonds of said City, to establish the conditions for bids and awards and to award all of said bonds on an all or none

basis; and the time, place, terms and manner of settlement for the bonds so bid for.

SEC. 4. AND BE IT FURTHER ORDAINED, That:

(a) All premiums resulting from the sale of any of the bonds issued and sold pursuant to the provisions of this Ordinance shall be applied first to defray the cost of issuance thereof and the balance, if any, shall be applied to the payment of interest on any of said bonds becoming due and payable during the fiscal year in which said bonds are issued and sold or during the next succeeding fiscal year.

(b) The debt authorized by the provisions of this Ordinance, and the bonds issued and sold pursuant thereto and their transfer, and the principal and interest payable thereon (including any profit made in the sale thereof), shall be and remain exempt from any and all State, county and municipal taxation in the State of Maryland.

(c) All bonds issued and sold pursuant to the provisions of this Ordinance shall be sold at public sale to the highest responsible bidder or bidders therefor after due notice of such sale, but the Mayor and City Council of Baltimore, acting by and through the Board of Finance thereof, shall have the right to reject any or all bids therefor for any reason, and thereafter reoffered such bonds at public sale as aforesaid or at private sale provided that if such bonds be offered at private sale they shall be offered for sale and sold for not less than par and accrued interest.

SEC. 5. AND BE IT FURTHER ORDAINED, That until all of the interest on and principal of any bonds issued pursuant to the provisions of this Ordinance have been paid in full, the Mayor and City Council of Baltimore shall levy and impose an annual tax on each One Hundred Dollars (\$100.00) of assessable property in the City of Baltimore at a rate sufficient to produce revenue to pay all interest on and principal of all bonds theretofore issued and outstanding or authorized to be issued and outstanding, payable in the next succeeding year.

SEC. 6. AND BE IT FURTHER ORDAINED, That this Ordinance shall be submitted to the legal voters of the City of Baltimore, for their approval or disapproval, at the General Election to be held in Baltimore City, on Tuesday, the 8th day of November, 1988.

SEC. 7. AND BE IT FURTHER ORDAINED, That prior to the date of the election hereinbefore mentioned, notice shall be given to the public of the amount of money which the Mayor and City Council of Baltimore is authorized to borrow, and the general purposes for which such borrowed funds may be expended, under the terms and provisions of this Ordinance, and the time when the election hereinbefore mentioned is to be held; and such public notice shall be given in such manner and by such means or through

such media and at such time or times as may be determined, from time to time, by a majority of the Board of Finance.

SEC. 8. AND BE IT FURTHER ORDAINED, That the actual cash proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance, not exceeding the par value thereof, shall be used exclusively for the following purposes, to wit:

(a) So much thereof as may be necessary, in addition to the premium realized from the sale, if any, for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith; and

(b) The remainder of such proceeds shall be used for the acquisition, construction, reconstruction, installation, erection, protection, extension, enlargement, renovation or modernization of, and additions to, public park or recreational buildings, structures or facilities, including, but not limited to, the Zoo located in Druid Hill Park; and for the acquisition and installation of equipment for any and all new facilities authorized to be constructed, erected or established under the provisions hereof, and for doing any and all things necessary, proper or expedient in connection with or pertaining to any or all of the matters or things hereinbefore mentioned; provided, however, that no part of such proceeds shall be used to pay costs not directly related to and required for the acquisition, construction, or completion of a specific physical improvement and the initial equipping thereof;

(c) The use of the proceeds of the sale of the bonds shall be limited to expenditures for capital improvement projects having an estimated service life of not less than fifteen (15) years, and such proceeds shall not be used for current operating expenses of the City or other legal entity.

SEC. 9. AND BE IT FURTHER ORDAINED, That the expenditure of the proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance shall be in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinance of Estimates of the Mayor and City Council of Baltimore.

July 5, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 116

(Council No. 205)

AN ORDINANCE concerning

BOND ISSUE - ASBESTOS REMOVAL LOAN

FOR the purpose of authorizing the Mayor and City Council of Baltimore (pursuant to Resolution VI of 1988 approved by the members of the General Assembly of Maryland representing Baltimore City), to issue and sell its certificates of indebtedness to an amount not exceeding Two Million Dollars (\$2,000,000.00), the proceeds derived from the sale of the same to be used for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith, and the remainder of such proceeds shall be used to pay the costs of asbestos removal and encapsulation in existing buildings, structures and facilities owned or controlled by the Mayor and City Council of Baltimore, including but not limited to health, fire, urban services, multi-purpose, recreation, schools, office buildings and library facilities, to be or now being used for or in connection with the operations, functions and activities of the Mayor and City Council of Baltimore, the payment of any and all costs and expenses incurred for or in connection with doing any or all of the things herein mentioned, including, but not limited to, the costs and expenses of securing administrative, appraisal, economic analysis, engineering, planning, designing, architectural, surveying, and other professional services; and for doing any and all things necessary, proper or expedient in connection with or pertaining to any or all of the matters or things hereinbefore mentioned; to confer and impose upon the Board of Finance of Baltimore City certain powers and duties; to authorize the submission of this Ordinance to the Legal voters of the City of Baltimore, for their approval or disapproval, at the General Election to be held in Baltimore City on Tuesday, the 8th day of November, 1988 and providing for the expenditure of the proceeds of sale of said certificates of indebtedness in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinance of Estimates of the Mayor and City Council of Baltimore.

WHEREAS, By Resolution VI of 1988 approved by the Members of the General Assembly of Maryland representing Baltimore City, the Mayor and City Council of Baltimore is authorized to create a debt and to issue and sell its certificates of indebtedness (hereinafter called "bonds") as evidence thereof, to an amount not exceeding Two Million Dollars (\$2,000,000.00) in the manner and upon the terms set forth in said Resolution, the net cash proceeds derived from the sale of said bonds, not exceeding the

par value of said bonds, to be used for asbestos removal purposes as authorized by said Resolution; and

WHEREAS, Funds are now needed for said purposes; ~~now~~; therefore,

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Mayor and City Council of Baltimore, acting by and through the Board of Finance of said municipality, be and it is hereby authorized and empowered to issue bonds of the Mayor and City Council of Baltimore to an amount not exceeding Two Million Dollars (\$2,000,000.00), from time to time, as the same may be needed or required for the purposes hereinafter named and said bonds shall be sold by said Board of Finance from time to time and at such times as shall be requisite, and the proceeds derived from the sale of said bonds shall be used for the purposes hereinafter named, provided that this Ordinance shall not become effective unless it shall be approved by a majority of the votes of the legal voters of Baltimore City cast at the time and place hereinafter designated by this Ordinance.

SEC. 2. AND BE IT FURTHER ORDAINED, That:

(a) Said bonds shall be issued in denominations of not less than One Thousand Dollars (\$1,000.00) each, but may be in sums of One Thousand Dollars (\$1,000.00), or any suitable multiple thereof.

(b) Said bonds, or any part thereof, shall be issued in accordance with a serial maturity plan so worked out as to discharge the entire principal amount represented thereby within not more than forty (40) years from the date of their issuance; provided, however, that it shall not be necessary to provide for the maturity of any part of the principal amount represented by any of said bonds for the first five (5) years from the date of their issuance.

(c) Said bonds, when issued, shall bear interest at such rate or rates as may be determined by a majority of the Board of Finance by resolution at such time or times when any of said bonds are issued, and such interest shall be payable semi-annually.

SEC. 3. AND BE IT FURTHER ORDAINED, That a majority of the Board of Finance of the Mayor and City Council of Baltimore be, and they are hereby, authorized to pass a resolution or resolutions, from time to time, to determine and set forth any or all of the following:

(a) The amount of debt to be incurred by the Mayor and City Council of Baltimore at any particular time, and from time to time, under and pursuant to the provisions of this Ordinance; the date or dates when any bonds representing said debt, or any part thereof, are to mature, and the amount or amounts of said debt, or any part thereof, which shall mature upon the aforesaid

date or dates; and the semi-annual dates in each year, during the entire period of time when any of said bonds are outstanding, when interest on any of said bonds shall be payable.

(b) The form or forms of the bonds representing the debt, or any part thereof, authorized to be issued under the provisions of this Ordinance at any particular time, including any interest coupons to be attached thereto; the provisions, if any, for the issuance of coupon bonds; the provisions, if any, for the issuance of fully registered bonds; the provisions, if any, for the registration as to principal of any coupon bonds; and the provisions, if any, for the conversion and reconversion into coupon bonds of any fully registered bonds or coupon bonds registered as to principal; the place or places for the payment of principal and interest of said bonds; and the date of said bonds issued at any particular time, and the right of redemption of said bonds by the City prior to maturity; and

(c) The time, place, manner and medium of advertisement of the readiness of the Board of Finance, acting for and on behalf of the Mayor and City Council of Baltimore, to receive bids for the purchase of the bonds authorized to be issued hereunder, or any part thereof; the form, terms and conditions of such bids; the time, place and manner of awarding bonds so bid for, including the right whenever any of the bonds authorized by this Ordinance are offered for sale and sold at the same time as other bonds of said City, to establish the conditions for bids and awards and to award all of said bonds on an all or none basis; and the time, place, terms and manner of settlement for the bonds so bid for.

SEC. 4. AND BE IT FURTHER ORDAINED, That:

(a) All premiums resulting from the sale of any of the bonds issued and sold pursuant to the provisions of this Ordinance shall be applied first to defray the cost of issuance thereof and the balance, if any, shall be applied to the payment of interest on any of said bonds becoming due and payable during the fiscal year in which said bonds are issued and sold or during the next succeeding fiscal year.

(b) The debt authorized by the provisions of this Ordinance, and the bonds issued and sold pursuant thereto and their transfer, and the principal and interest payable thereon (including any profit made in the sale thereof), shall be and remain exempt from any and all State, county and municipal taxation in the State of Maryland.

(c) All bonds issued and sold pursuant to the provisions of this Ordinance shall be sold at public sale to the highest responsible bidder or bidders therefor after due notice of such sale, but the Mayor and City Council of Baltimore, acting by and through the Board of Finance thereof, shall have the right to reject any or all bids therefor for any reason, and thereafter reoffer such bonds at public sale as aforesaid or at private

sale, provided that if such bonds be offered at private sale they shall be offered for sale and sold for not less than par and accrued interest.

SEC. 5. AND BE IT FURTHER ORDAINED, That until all of the interest on and principal of any bonds issued pursuant to the provisions of this Ordinance have been paid in full, the Mayor and City Council of Baltimore shall levy and impose an annual tax on each One Hundred Dollars (\$100.00) of assessable property in the City of Baltimore at a rate sufficient to produce revenue to pay all interest on and principal of all bonds theretofore issued and outstanding or authorized to be issued and outstanding, payable in the next succeeding year.

SEC. 6. AND BE IT FURTHER ORDAINED, That this Ordinance shall be submitted to the legal voters of the City of Baltimore, for their approval or disapproval, at the General Election to be held in Baltimore City, on Tuesday, the 8th day of November, 1988.

SEC. 7. AND BE IT FURTHER ORDAINED, That prior to the date of the election hereinbefore mentioned, notice shall be given to the public of the amount of money which the Mayor and City Council of Baltimore is authorized to borrow, and the general purposes for which such borrowed funds may be expended, under the terms and provisions of this Ordinance, and the time when the election hereinbefore mentioned is to be held; and such public notice shall be given in such manner and by such means or through such media and at such time or times as may be determined, from time to time, by a majority of the Board of Finance.

SEC. 8. AND BE IT FURTHER ORDAINED, That the actual cash proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance, not exceeding the par value thereof, shall be used exclusively for the following purposes, to wit:

(a) So much thereof as may be necessary, in addition to the premium realized from the sale, if any, for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith; and

(b) The remainder of such proceeds shall be used to pay the costs of asbestos removal and encapsulation in existing buildings, structures and facilities owned or controlled by the Mayor and City Council of Baltimore, including but not limited to health, fire, urban services, multi-purpose, recreation, schools, office buildings and library facilities, to be or now being used for or in connection with the operations, functions and activities of the Mayor and City Council of Baltimore; the payment of any and all costs and expenses incurred for or in connection with doing any or all of the things herein mentioned, including but not limited to, the costs and expenses of securing administrative, appraisal, economic analysis, engineering,

planning, designing, architectural, surveying, and other professional services; and for doing any and all things necessary, proper or expedient in connection with or pertaining to any or all the matters or things hereinbefore mentioned.

SEC. 9. AND BE IT FURTHER ORDAINED, That the expenditure of the proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance shall be in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinance of Estimates of the Mayor and City Council of Baltimore.

July 5, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 117

(Council No. 207)

AN ORDINANCE concerning

BOND ISSUE - AQUARIUM LOAN

FOR the purpose of authorizing the Mayor and City Council of Baltimore (pursuant to Resolution V of 1988 approved by the members of the General Assembly of Maryland representing Baltimore City), to issue and sell its certificates of indebtedness to an amount not exceeding Three Million Dollars (\$3,000,000.00), the proceeds derived from the sale of the same to be used for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith, and the remainder of such proceeds shall be used for the development of the National Aquarium in Baltimore, including but not limited to, the acquisition by purchase, lease, condemnation or any other legal means, of land or property, or any rights therein, in the City of Baltimore, and constructing and erecting on said land or property, or on any land or property now or hereafter owned by the Mayor and City Council of Baltimore, new buildings, structures, and other auxiliary facilities; and for the renovation, alteration, construction, reconstruction, installation, improvement and repair of land or property in Baltimore City, to be or now being used for or in connection with the operations, functions, and activities of the National Aquarium in Baltimore and for equipment for any and all facilities authorized to be constructed or erected by the provisions hereof; and for architectural or engineering services or surveys, and any other activities relating to planning for the purposes above mentioned; and for doing any and all things necessary, proper or expedient in connection with or pertaining to any or all of the matters or things

hereinbefore mentioned; to confer and impose upon the Board of Finance of Baltimore City certain powers and duties; to authorize the submission of this ordinance to the legal voters of the City of Baltimore, for their approval or disapproval, at the General Election to be held in Baltimore City on Tuesday, the 8th day of November, 1988 and providing for the expenditure of the proceeds of sale of said certificates of indebtedness in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the Annual Ordinance of Estimates of the Mayor and City Council of Baltimore.

WHEREAS, By Resolution V of 1988 approved by the Members of the General Assembly of Maryland representing Baltimore City, the Mayor and City Council of Baltimore is authorized to create a debt and to issue and sell its certificates of indebtedness (hereinafter called "bonds") as evidence thereof, to an amount not exceeding Three Million Dollars (\$3,000,000.00) in the manner and upon the terms set forth in said Resolution, the net cash proceeds derived from the sale of said bonds, not exceeding the par value of said bonds, to be used for Aquarium purposes as authorized by said Resolution; and

WHEREAS, Funds are now needed for said purposes; now; therefore,

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Mayor and City Council of Baltimore, acting by and through the Board of Finance of said municipality, be and it is hereby authorized and empowered to issue bonds of the Mayor and City Council of Baltimore to an amount not exceeding Three Million Dollars (\$3,000,000.00), from time to time, as the same may be needed or required for the purposes hereinafter named and said bonds shall be sold by said Board of Finance from time to time and at such times as shall be requisite, and the proceeds derived from the sale of said bonds shall be used for the purposes hereinafter named, provided that this Ordinance shall not become effective unless it shall be approved by a majority of the votes of the legal voters of Baltimore City cast at the time and place hereinafter designated by this Ordinance.

SEC. 2. AND BE IT FURTHER ORDAINED, That:

(a) Said bonds shall be issued in denominations of not less than One Thousand Dollars (\$1,000.00) each, but may be in sums of One Thousand Dollars (\$1,000.00), or any suitable multiple thereof.

(b) Said bonds, or any part thereof, shall be issued in accordance with a serial maturity plan so worked out as to discharge the entire principal amount represented thereby within not more than forty (40) years from the date of their issuance; provided, however, that it shall not be necessary to provide for

the maturity of any part of the principal amount represented by any of said bonds for the first five (5) years from the date of their issuance.

(c) Said bonds, when issued, shall bear interest at such rate or rates as may be determined by a majority of the Board of Finance by resolution at such time or times when any of said bonds are issued, and such interest shall be payable semi-annually.

SEC. 3. AND BE IT FURTHER ORDAINED, That a majority of the Board of Finance of the Mayor and City Council of Baltimore be, and they are hereby, authorized to pass a resolution or resolutions, from time to time, to determine and set forth any or all of the following:

(a) The amount of debt to be incurred by the Mayor and City Council of Baltimore at any particular time, and from time to time, under and pursuant to the provisions of this Ordinance; the date or dates when any bonds representing said debt, or any part thereof, are to mature, and the amount or amounts of said debt, or any part thereof, which shall mature upon the aforesaid date or dates; and the semi-annual dates in each year, during the entire period of time when any of said bonds are outstanding, when interest on any of said bonds shall be payable.

(b) The form or forms of the bonds representing the debt, or any part thereof, authorized to be issued under the provisions of this Ordinance at any particular time, including any interest coupons to be attached thereto; the provisions, if any, for the issuance of coupon bonds; the provisions, if any, for the issuance of fully registered bonds; the provisions, if any, for the registration as to principal of any coupon bonds; and the provisions, if any, for the conversion and reconversion into coupon bonds of any fully registered bonds or coupon bonds registered as to principal; the place or places for the payment of principal and interest of said bonds; and the date of said bonds issued at any particular time, and the right of redemption of said bonds by the City prior to maturity; and

(c) The time, place, manner and medium of advertisement of the readiness of the Board of Finance, acting for an and on behalf of the Mayor and City Council of Baltimore, to receive bids for the purchase of the bonds authorized to be issued hereunder, or any part thereof; the form, terms and conditions of such bids; the time, place and manner of awarding bonds so bid for, including the right whenever any of the bonds authorized by this Ordinance are offered for sale and sold at the same time as other bonds of said City, to establish the conditions for bids and awards and to award all of said bonds on an all or none basis; and the time, place, terms and manner of settlement for the bonds so bid for.

SEC. 4. AND BE IT FURTHER ORDAINED, That:

(a) All premiums resulting from the sale of any of the bonds issued and sold pursuant to the provisions of this Ordinance shall be applied first to defray the cost of issuance thereof and the balance, if any, shall be applied to the payment of interest on any of said bonds becoming due and payable during the fiscal year in which said bonds are issued and sold or during the next succeeding fiscal year.

(b) The debt authorized by the provisions of this Ordinance, and the bonds issued and sold pursuant thereto and their transfer, and the principal and interest payable thereon (including any profit made in the sale thereof), shall be and remain exempt from any and all State, county and municipal taxation in the State of Maryland.

(c) All bonds issued and sold pursuant to the provisions of this Ordinance shall be sold at public sale to the highest responsible bidder or bidders therefor after due notice of such sale, but the Mayor and City Council of Baltimore, acting by and through the Board of Finance thereof, shall have the right to reject any or all bids therefor for any reason, and thereafter reoffer such bonds at public sale as aforesaid or at private sale, provided that if such bonds be offered at private sale they shall be offered for sale and sold for not less than par and accrued interest.

SEC. 5. AND BE IT FURTHER ORDAINED, That until all of the interest on and principal of any bonds issued pursuant to the provisions of this Ordinance have been paid in full, the Mayor and City Council of Baltimore shall levy and impose an annual tax on each One Hundred Dollars (\$100.00) of assessable property in the City of Baltimore at a rate sufficient to produce revenue to pay all interest on and principal of all bonds theretofore issued and outstanding or authorized to be issued and outstanding, payable in the next succeeding year.

SEC. 6. AND BE IT FURTHER ORDAINED, That this Ordinance shall be submitted to the legal voters of the City of Baltimore, for their approval or disapproval, at the General Election to be held in Baltimore City, on Tuesday, the 8th day of November, 1988.

SEC. 7. AND BE IT FURTHER ORDAINED, That prior to the date of the election hereinbefore mentioned, notice shall be given to the public of the amount of money which the Mayor and City Council of Baltimore is authorized to borrow, and the general purposes for which such borrowed funds may be expended, under the terms and provisions of this Ordinance, and the time when the election hereinbefore mentioned is to be held; and such public notice shall be given in such manner and by such means or through such media and at such time or times as may be determined, from time to time, by a majority of the Board of Finance.

SEC. 8. AND BE IT FURTHER ORDAINED, That the actual cash proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance, not exceeding the par value thereof, shall be used exclusively for the following purposes, to wit:

(a) So much thereof as may be necessary, in addition to the premium realized from the sale, if any, for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith; and

(b) The remainder of such proceeds shall be used for the development of the National Aquarium in Baltimore, including but not limited to, the acquisition by purchase, lease, condemnation or any other legal means, of land or property, or any rights therein, in the City of Baltimore, and constructing and erecting on said land or property, or on any land or property now or hereafter owned by the Mayor and City Council of Baltimore, new buildings, structures, and other auxiliary facilities; and for the renovation, alteration, construction, reconstruction, installation, improvement and repair of, land or property, to be or now being used for or in connection with the operations, functions, and activities of the National Aquarium in Baltimore; and for equipment for any and all facilities authorized to be constructed or erected by the provisions hereof; and for architectural or engineering services or surveys, and any other activities relating to planning for the purposes above mentioned; and for doing any and all things necessary, proper or expedient in connection with or pertaining to any or all of the matters or things hereinbefore mentioned.

SEC. 9. AND BE IT FURTHER ORDAINED, That the expenditure of the proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance shall be in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinance of Estimates of the Mayor and City Council of Baltimore.

July 5, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 118

(Council No. 208)

AN ORDINANCE concerning

BOND ISSUE - STREETS AND BRIDGES LOAN

FOR purpose of purpose of authorizing the Mayor and City Council of Baltimore (pursuant to Resolution X of 1988 approved by

the members of the General Assembly of Maryland representing Baltimore City), to issue and sell its certificates of indebtedness to an amount not exceeding Eight Million Dollars (\$8,000,000.00), the proceeds derived from the sale of the same to be used for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith, and the remainder of such proceeds shall be used for or in connection with demolition, removal, relocation, renovation, alteration, construction, reconstruction, installation, improvement and repair of land, buildings, streets, highways, alleys, bridges, utilities or services, and other related structures or improvements, located within the boundaries of Baltimore City; and the acquisition, by purchase, lease, condemnation or any other legal means, of land or property, or any rights or interests, therein, in the City of Baltimore; as may be necessary for any and all of the above mentioned purposes, and the payment of any and all costs and expenses incurred for or in connection with doing any and all things herein mentioned, including, but not limited to, the costs and expenses of securing administrative, appraisal, economic analysis, engineering, planning, designing, architectural, surveying, and other professional services; and doing any and all things necessary, proper to any or all of the matters or things hereinbefore mentioned; to confer and impose upon the Board of Finance of Baltimore City certain powers and duties; to authorizing the submission of this Ordinance to the Legal voters of the City of Baltimore, for their approval or disapproval, at the General Election to be held in Baltimore City on Tuesday, the 8th day of November, 1988 and providing for the expenditure of the proceeds of sale of said certificates of indebtedness in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinance of Estimates of the Mayor and City Council of Baltimore.

WHEREAS, By Resolution X of 1988 approved by the Members of the General Assembly of Maryland representing Baltimore City, the Mayor and City Council of Baltimore is authorized to create a debt and to issue and sell its certificates of indebtedness (hereinafter called "bonds") as evidence thereof, to an amount not exceeding Eight Million Dollars (\$8,000,000.00) in the manner and upon the terms set forth in said Resolution, the net cash proceeds derived from the sale of said bonds, not exceeding the par value of said bonds, to be used for streets and bridges purposes ~~all~~ as authorized by said Resolution; and

WHEREAS, Funds are now needed for said purposes; ~~now~~, therefore,

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Mayor and City Council of Baltimore, acting by and ~~through~~ through the Board of Finance of said municipality, be and it is hereby authorized and empowered to issue bonds of

the Mayor and City Council of Baltimore to an amount not exceeding Eight Million Dollars (\$8,000,000.00), from time to time, as the same may be needed or required for the purposes hereinafter named and said bonds shall be sold by said Board of Finance from time to time and at such times as shall be requisite, and the proceeds derived from ~~he~~ the sale of said bonds shall be used for the purposes hereinafter named, provided that this Ordinance shall not become effective unless it shall be approved by a majority of the votes of the legal voters of Baltimore City cast at the time and place hereinafter designated by this Ordinance.

SEC. 2. AND BE IT FURTHER ORDAINED, That:

(a) Said bonds shall be issued in denominations of not less than One Thousand Dollars (\$1,000.00) each, but may be in sums of One Thousand Dollars (\$1,000.00), or any suitable multiple thereof.

(b) Said bonds, or any part thereof, shall be issued in accordance with a serial maturity plan so worked out as to discharge the entire principal amount represented thereby within not more than forty (40) years from the date of their issuance; provided, however, that it shall not be necessary to provide for the maturity of any part of the principal amount represented by any of said bonds for the first five (5) years from the date of their issuance.

(c) Said bonds, when issued, shall bear interest at such rate or rates as may be determined by a majority of the Board of Finance by resolution at such time or times when any of said bonds are issued, and such interest shall be payable semi-annually.

SEC. 3. AND BE IT FURTHER ORDAINED, That a majority of the Board of Finance of the Mayor and City Council of Baltimore be, and they are hereby, authorized to pass a resolution or resolutions, from time to time, to determine and set forth any or all of the following:

(a) The amount of debt to be incurred by the Mayor and City Council of Baltimore at any particular time, and from time to time, under and pursuant to the provisions of this Ordinance; the date or dates when any bonds representing said debt, or any part thereof, are to mature, and the amount or amounts of said debt, or any part thereof, which shall mature upon the aforesaid date or dates; and the semi-annual dates in each year, during the entire period of time when any of said bonds are outstanding, when interest on any of said bonds shall be payable.

(b) The form or forms of the bonds representing the debt, or any part thereof, authorized to be issued under the provisions of this Ordinance at any particular time, including any interest coupons to be attached thereto; the provisions, if any, for the issuance of couponbonds; the provisions, if any, for

the issuance of fully registered bonds; the provisions, if any, for the registration as to principal of any coupon bonds; and the provisions, if any, for the conversion and reconversion into coupon bonds of any fully registered bonds or coupon bonds registered as to principal; the place or places for the payment of principal and interest of said bonds; and the date of said bonds issued at any particular time, and the right of redemption of said bonds by the City prior to maturity; and

(c) The time, place, manner and medium of advertisement of the readiness of the Board of Finance, acting for ~~or~~ and on behalf of the Mayor and City Council of Baltimore, to receive bids for the purchase of the bonds authorized to be issued hereunder, or any part thereof; the form, terms and conditions of such bids; the time, place and manner of awarding bonds so bid for, including the right whenever any of the bonds authorized by this Ordinance are offered for sale and sold at the same time as other bonds of said City, to establish the conditions for bids and awards and to award all of said bonds on an all or none basis; and the time, place, terms and manner of settlement for the bonds so bid for.

SEC. 4. AND BE IT FURTHER ORDAINED, That:

(a) All premiums resulting from the sale of any of the bonds issued and sold pursuant to the provisions of this Ordinance shall be applied first to defray the cost of issuance thereof and the balance, if any, shall be applied to the payment of interest on any of said bonds becoming due and payable during the fiscal year in which said bonds are issued and sold or during the next succeeding fiscal year.

(b) The debt authorized by the provisions of this Ordinance, and the bonds issued and sold pursuant thereto and their transfer, and the principal and interest payable thereon (including any profit made in the sale thereof), shall be and remain exempt from any and all State, county and municipal taxation in the State of Maryland.

(c) All bonds issued and sold pursuant to the provisions of this Ordinance shall be sold at public sale to the highest responsible bidder or bidders therefor after due notice of such sale, but the Mayor and City Council of Baltimore, acting by and through the Board of Finance thereof, shall have the right to reject any ~~and~~ or all bids therefor for any reason, and thereafter offered such bonds at public sale as aforesaid or at private sale, provided that if such bonds be offered at private sale, provided that if such bonds be offered at private sale they shall be offered for sale and sold for not less than par and accrued interest.

SEC. 5. AND BE IT FURTHER ORDAINED, That until all of the interest on the principal of any bonds issued pursuant to the provisions of this Ordinance have been paid in fully, the Mayor and City Council of Baltimore shall levy and impose an annual tax

on each One Hundred Dollars (\$100.00) of assessable property in the City of Baltimore at a rate sufficient to produce revenue to pay all interest on and principal of all bonds theretofore issued and outstanding or authorized to be issued and outstanding, payable in the next succeeding year.

SEC. 6. AND BE IT FURTHER ORDAINED, That this Ordinance shall be submitted to the legal voters of the City of Baltimore, for their approval or disapproval, at the General Election to be held in Baltimore City, on Tuesday, the 8th day of November, 1988.

SEC. 7. AND BE IT FURTHER ORDAINED, That prior to the date of the election hereinbefore mentioned, notice shall be given to the public of the amount of money which the Mayor and City Council of Baltimore is authorized to borrow, and the general purposes for which such borrowed funds may be expended, under the terms and provisions of this Ordinance, and the time when the election hereinbefore mentioned is to be held; and such public notice shall be given in such manner and by such means or through such media and at such time or times as may be determined, from time to time, by a majority of the Board of Finance.

SEC. 8. AND BE IT FURTHER ORDAINED, That the actual cash proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance, not exceeding the par value thereof, shall be used exclusively for the following purposes, to wit:

(a) So much thereof as may be necessary, in addition to the premium realized from the sale, if any, for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith; and

(b) The remainder of such proceeds shall be used for or in connection with the demolition, planning, developing, executing and making operative the Community Development Program of the Mayor and City Council of Baltimore removal, relocation, renovation, alteration, construction, reconstruction, installation, improvement and repair of land, buildings, streets, highways, alleys, bridges, utilities or services, and other related structures or improvements, located within the boundaries of Baltimore City, and the acquisition, by purchase, lease, condemnation, or any other legal means, of land or property, or any rights or interests therein, in the City of Baltimore as may be necessary for any and all of the above mentioned purposes, and the payment of any and all costs and expenses incurred for or in connection with doing any and all things herein mentioned, including, but not limited to, the costs and expenses of securing administrative, appraisal, economic analysis, engineering, planning, designing, architectural, surveying, and other professional services; and doing any and all things necessary, proper or expedient in connection with or pertaining to any or all of the matters or things hereinbefore mentioned.

SEC. 9. AND BE IT FURTHER ORDAINED, That the expenditure of the proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance shall be in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinance of Estimates of the Mayor and City Council of Baltimore.

July 5, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 119

(Council No. 210)

AN ORDINANCE concerning

BOND ISSUE - CENTER STAGE LOAN

FOR the purpose of authorizing the Mayor and City Council of Baltimore (pursuant to Resolution IV of 1988 approved by the members of the General Assembly of Maryland representing Baltimore City), to issue and sell its certificates of indebtedness to an amount not exceeding One Million Dollars (\$1,000,000.00), the proceeds derived from the sale of the same to be used for the cost of issuance, including but not expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith, and the remainder of such proceeds shall be used for the development of the Center Stage Theatre, including but not limited to, additions and improvements to, and the renovation, expansion, modernization, and reconstruction of the Center Stage Theatre, to be or now being used for or in connection with the operations, functions, and activities of the Center Stage Theatre in Baltimore City; and for equipment for any and all facilities authorized to be improved, renovated or modernized by the provisions hereof; and for architectural or engineering services or surveys, and any other activities relating to planning for the purposes above mentioned; and for doing any and all things necessary, proper or expedient in connection with or pertaining to any and all of the matters or things hereinbefore mentioned; to confer and impose upon the Board of Finance of Baltimore City certain powers and duties; to authorize the submission of this Ordinance to the legal voters of the City of Baltimore, for their approval or disapproval, at the general election to be held in Baltimore City on Tuesday, the 8th day of November, 1988 and providing for the expenditure of the proceeds of sale of said certificates of indebtedness in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the Annual Ordinance of Estimates of the Mayor and City Council

of Baltimore.

WHEREAS, By Resolution IV of 1988 approved by the Members of the General Assembly of Maryland representing Baltimore City, the Mayor and City Council of Baltimore is authorized to create a debt and to issue and sell its certificates of indebtedness (hereinafter called "bonds") as evidence thereof, to an amount not exceeding One Million Dollars (\$1,000,000.00) in the manner and upon the terms set forth in said Resolution, the net cash proceeds derived from the sale of said bonds, not exceeding the par value of said bonds, to be used for purposes of renovating, expanding and equipping the Center Stage Theatre in Baltimore City as authorized by said Resolution; and

WHEREAS, Funds are now needed for said purposes; ~~new~~; therefore,

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Mayor and City Council of Baltimore, acting by and through the Board of Finance of said municipality, be and it is hereby authorized and empowered to issue bonds of the Mayor and City Council of Baltimore to an amount not exceeding One Million Dollars (\$1,000,000.00), from time to time, as the same may be needed or required for the purposes hereinafter named and said bonds shall be sold by said Board of Finance from time to time and at such times as shall be requisite, and the proceeds derived from the sale of said bonds shall be used for the purposes hereinafter named, provided that this Ordinance shall not become effective unless it shall be approved by a majority of the votes of the legal voters of Baltimore City cast at the time and place hereinafter designated by this Ordinance.

SEC. 2. AND BE IT FURTHER ORDAINED, That:

(a) Said bonds shall be issued in denominations of not less than One Thousand Dollars (\$1,000.00) each, but may be in sums of One Thousand Dollars (\$1,000.00), or any suitable multiple thereof.

(b) Said bonds, or any part thereof, shall be issued in accordance with a serial maturity plan so worked out as to discharge the entire principal amount represented thereby within not more than forty (40) years from the date of their issuance; provided, however, that it shall not be necessary to provide for the maturity of any part of the principal amount represented by any of said bonds for the first five (5) years from the date of their issuance.

(c) Said bonds, when issued, shall bear interest at such rate or rates as may be determined by a majority of the Board of Finance by resolution at such time or times when any of said bonds are issued, and such interest shall be payable semi-annually.

SEC. 3. AND BE IT FURTHER ORDAINED, That a majority of the Board of Finance of the Mayor and City Council of Baltimore be, and they are hereby, authorized to pass a resolution or resolutions, from time to time, to determine and set forth any or all of the following:

(a) The amount of debt to be incurred by the Mayor and City Council of Baltimore at any particular time, and from time to time, under and pursuant to the provisions of this Ordinance; the date or dates when any bonds representing said debt, or any part thereof, are to mature, and the amount or amounts of said debt, or any part thereof, which shall mature upon the aforesaid date or dates; and the semi-annual dates in each year, during the entire period of time when any of said bonds are outstanding, when interest on any of said bonds shall be payable.

(b) The form or forms of the bonds representing the debt, or any part thereof, authorized to be issued under the provisions of this Ordinance at any particular time, including any interest coupons to be attached thereto; the provisions, if any, for the issuance of coupon bonds; the provisions, if any, for the issuance of fully registered bonds; the provisions, if any, for the registration as to principal of any coupon bonds; and the provisions, if any, for the conversion and reconversion into coupon bonds of any fully registered bonds or coupon bonds registered as to principal; the place or places for the payment of principal and interest of said bonds; and the date of said bonds issued at any particular time, and the right of redemption of said bonds by the City prior to maturity; and

(c) The time, place, manner and medium of advertisement of the readiness of the Board of Finance, acting for an and on behalf of the Mayor and City Council of Baltimore, to receive bids for the purchase of the bonds authorized to be issued hereunder, or any part thereof; the form, terms and conditions of such bids; the time, place and manner of awarding bonds so bid for, including the right whenever any of the bonds authorized by this Ordinance are offered for sale and sold at the same time as other bonds of said City, to establish the conditions for bids and awards and to award all of said bonds on an all or none basis; and the time, place, terms and manner of settlement for the bonds so bid for.

SEC. 4. AND BE IT FURTHER ORDAINED, That:

(a) All premiums resulting from the sale of any of the bonds issued and sold pursuant to the provisions of this Ordinance shall be applied first to defray the cost of issuance thereof and the balance, if any, shall be applied to the payment of interest on any of said bonds becoming due and payable during the fiscal year in which said bonds are issued and sold or during the next succeeding fiscal year.

(b) The debt authorized by the provisions of this Ordinance, and the bonds issued and sold pursuant thereto and

their transfer, and the principal and interest payable thereon (including any profit made in the sale thereof), shall be and remain exempt from any and all State, county and municipal taxation in the State of Maryland.

(c) All bonds issued and sold pursuant to the provisions of this Ordinance shall be sold at public sale to the highest responsible bidder or bidders therefor after due notice of such sale, but the Mayor and City Council of Baltimore, acting by and through the Board of Finance thereof, shall have the right to reject any or all bids therefor for any reason, and thereafter reoffer such bonds at public sale as aforesaid or at private sale, provided that if such bonds be offered at private sale, provided that if such bonds be offered at private sale they shall be offered for sale and sold for not less than par and accrued interest.

SEC. 5. AND BE IT FURTHER ORDAINED, That until all of the interest on and principal of any bonds issued pursuant to the provisions of this Ordinance have been paid in full, the Mayor and City Council of Baltimore shall levy and impose an annual tax on each One Hundred Dollars (\$100.00) of assessable property in the City of Baltimore at a rate sufficient to produce revenue to pay all interest on and principal of all bonds theretofore issued and outstanding or authorized to be issued and outstanding, payable in the next succeeding year.

SEC. 6. AND BE IT FURTHER ORDAINED, That this Ordinance shall be submitted to the legal voters of the City of Baltimore, for their approval or disapproval, at the General Election to be held in Baltimore City, on Tuesday, the 8th day of November, 1988.

SEC. 7. AND BE IT FURTHER ORDAINED, That prior to the date of the election hereinbefore mentioned, notice shall be given to the public of the amount of money which the Mayor and City Council of Baltimore is authorized to borrow, and the general purposes for which such borrowed funds may be expended, under the terms and provisions of this Ordinance, and the time when the election hereinbefore mentioned is to be held; and such public notice shall be given in such manner and by such means or through such media and at such time or times as may be determined, from time to time, by a majority of the Board of Finance.

SEC. 8. AND BE IT FURTHER ORDAINED, That the actual cash proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance, not exceeding the par value thereof, shall be used exclusively for the following purposes, to wit:

(a) So much thereof as may be necessary, in addition to the premiums realized from the sale, if any, for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith; and

(b) The remainder of such proceeds shall be used for the development of the Center Stage Theatre, including but not limited to, additions and improvements to, and the renovation, expansion, modernization, and reconstruction of the Center Stage Theatre, to be or now being used for or in connection with the operations, functions and activities of the Center Stage Theatre in Baltimore City; and for equipment for any and all facilities authorized to be improved, renovated or modernized by the provisions hereof; and for architectural or engineering services or surveys, and any other activities relating to planning for the purposes above mentioned; and for doing any and all things necessary, proper or expedient in connection with or pertaining to any or all of the matters or things hereinbefore mentioned.

SEC. 9. AND BE IT FURTHER ORDAINED, That the expenditure of the proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance shall be in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinance of Estimates of the Mayor and City Council of Baltimore.

July 5, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 120

(Council No. 212)

AN ORDINANCE concerning

CITY PROPERTY - SALE

FOR the purpose of authorizing the Mayor and City Council of Baltimore to sell at either public or private sale all of the interest of the Mayor and City Council of Baltimore in and to that certain portion of a parcel of land no longer needed for highway or other public use located at 2313 Montebello Terrace. Being a portion of that lot and premises known as 2313 Montebello Terrace.

BY authority of
Article V - Comptroller
Section 5(b)
Baltimore City Charter (1964 Revision, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Comptroller of Baltimore City be and he is hereby authorized to sell at either public or private sale in accordance with Article V, Section 5(b) of the City Charter (1964 Revision, as amended), all of the interest of the Mayor and City Council of Baltimore in and to that certain portion of a parcel of land situate in Baltimore, Maryland, and described as follows:

AT COLLEGE PARK LIBRARIES

Beginning for the same at the point formed by the intersection of the northwest side of Montebello Terrace, 50 feet wide, and the southwest outline of a parcel of land know as Lot No. 83 on the Plat of Morgan Park, which plat is recorded among the Land Records of Baltimore City in Liber S.C.L. No. 4127 Folio 613 and is currently on file in Pocket Folder J.F.C. No. 1941 and running thence binding on the southwest outline of Lot No. 83, as shown on said Plat, Northwesterly 120 feet, more or less; thence binding on the northwest outline of Lot No. 83, as shown on said Plat, Northeasterly 22 feet, more or less, to intersect a line drawn parallel with and distant 7.50 feet southwesterly, measured at right angles from the center line of an 18 inch storm drain, there situate; thence binding on said line so drawn for a new line of division through the property now or formerly owned by the Mayor and City Council of Baltimore, South 35°-56'-45" East 120 feet, more or less, to intersect the northwest side of said Montebello Terrace and thence binding on the northwest side of said Montebello Terrace and on the southeast outline of Lot No. 83 as shown on said Plat, there situate, Southwesterly 24 feet, more or less, to the place of beginning.

Being a portion of that lot and premises known as 2313 Montebello Terrace, Baltimore, Maryland.

Containing 2760 square feet of land, more or less. Said property being no longer needed for public use.

SEC. 2. AND BE IT FURTHER ORDAINED, That no deed or deeds shall pass in accordance herewith until the same shall have been first approved by the City Solicitor.

SEC. 3. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

July 5, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 121

(Council No. 213)

AN ORDINANCE concerning

CITY PROPERTY - SALE

FOR the purpose of authorizing the Mayor and City Council of Baltimore to sell at either public or private sale all of the interest of the Mayor and City Council of Baltimore in and to a certain parcel of land and improvements located at 431 Notre Dame Lane, Baltimore, Maryland, said parcel of land and improvements being no longer needed for public use.

BY authority of
Article V - Comptroller
Section 5(b)
Baltimore City Charter (1964 Revision, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Comptroller of Baltimore City be and he is hereby authorized to sell at either public or private sale in accordance with Article V, Section 5(b) of the City Charter (1964 Revision, as amended), all of the interest of the Mayor and City Council of Baltimore in and to a certain parcel of land and improvements situate in Baltimore, Maryland, and described as follows:

431 Notre Dame Lane (Block 5050, Lot 10)
Formerly known as the Gallagher Mansion
containing 95,220 square feet of land,
more or less, or 2.186 acres

Said property being no longer needed for public use.

SEC. 2. AND BE IT FURTHER ORDAINED, That no deed or deeds shall pass in accordance herewith until the same shall have been first approved by the City Solicitor.

SEC. 3. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

July 5, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 122

(Council No. 240)

AN ORDINANCE concerning

BOND ISSUE - SCHOOL LOAN

FOR of purpose of authorizing the Mayor and City Council of Baltimore (pursuant to Resolution II of 1988 approved by the members of the General Assembly of Maryland representing Baltimore City), to issue and sell its certificates of indebtedness to an amount not exceeding Ten Million Dollars (\$10,000,000.00), the proceeds derived from the sale of the same to be used for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith, and the remainder of such proceeds shall be used for the acquisition, by purchase, lease, condemnation or any other legal means, of land or property, or any rights therein, in the City of Baltimore, and constructing and erecting on said land or property, or on any land or property now or

hereafter owned by the Mayor and City Council of Baltimore, new school buildings, athletic and other auxiliary facilities, and for additions and improvements to, or the modernization or reconstruction of, including the removal and encapsulation of asbestos from, existing school buildings or facilities, and for equipment for any and all new or existing facilities, authorized to be constructed, erected, added to, improved, modernized, or reconstructed by the provisions hereof, and for architectural or engineering services or surveys, and any other activities relating to planning for the purposes above mentioned or relating to planning for future projects of the same general character which may be constructed out of future loans; limiting the use of the proceeds of the sale of the bonds to expenditures for capital improvement projects having an estimated service life of not less than fifteen (15) years, and providing that such proceeds shall not be used for current operating expenses of the City; conferring certain powers upon the Board of School Commissioners of Baltimore City and imposing certain conditions in connection with the expenditure of the proceeds derived from the sale of said certificates of indebtedness; conferring and imposing upon the Board of Finance of Baltimore City certain powers and duties; authorizing the submission of this Ordinance to the legal voters of the City of Baltimore, for their approval or disapproval, at the General Election to be held in Baltimore City on Tuesday, the 8th day of November, 1988; and providing for the expenditure of the proceeds of sale of said certificates of indebtedness in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinance of Estimates of the Mayor and City Council of Baltimore.

WHEREAS, By Resolution II of 1988 approved by the members of the General Assembly of Maryland representing Baltimore City, the Mayor and City Council of Baltimore is authorized to create a debt and to issue and sell its certificates of indebtedness (hereinafter called "bonds") as evidence thereof, to an amount not exceeding Ten Million Dollars (\$10,000,000.00) in the manner and upon the terms set forth in said Resolution, the net cash proceeds derived from the sale of said bonds, not exceeding the par value of said bonds, to be used for educational structures and other auxiliary facilities and for acquiring property for such purposes, all as authorized by said Resolution; and

WHEREAS, Funds are now needed for said purposes; therefore

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Mayor and City Council of Baltimore, acting by and through the Board of Finance of said municipality, be and it is hereby authorized and empowered to issue bonds of the Mayor and City Council of Baltimore to an amount not exceeding Ten Million Dollars (\$10,000,000.00), from time to time, as the same may be needed or required for the purposes hereinafter named and

said bonds shall be sold by said Board of Finance from time to time and at such times as shall be requisite, and the proceeds derived from the sale of said bonds shall be used for the purposes hereinafter named, provided that this Ordinance shall not become effective unless it shall be approved by a majority of the votes of the legal voters of Baltimore City cast at the time and place hereinafter designated by this Ordinance.

SEC. 2. AND BE IT FURTHER ORDAINED, That:

(a) Said bonds shall be issued in denominations of not less than One Thousand Dollars (\$1,000.00) each, but may be in sums of One Thousand Dollars (\$1,000.00), or any suitable multiple thereof.

(b) Said bonds, or any part thereof, shall be issued in accordance with a serial maturity plan so worked out as to discharge the entire principal amount represented thereby within not more than forty (40) years from the date of their issuance; provided, however, that it shall not be necessary to provide for the maturity of any part of the principal amount represented by any of said bonds for the first five (5) years from the date of their issuance.

(c) Said bonds, when issued, shall bear interest at such rate or rates as may be determined by a majority of the Board of Finance by resolution at such time or times when any of said bonds are issued, and such interest shall be payable semi-annually.

SEC. 3. AND BE IT FURTHER ORDAINED, That a majority of the Board of Finance of the Mayor and City Council of Baltimore be, and they are hereby, authorized to pass a resolution or resolutions, from time to time, to determine and set forth any or all of the following:

(a) The amount of debt to be incurred by the Mayor and City Council of Baltimore at any particular time, and from time to time, under and pursuant to the provisions of this Ordinance; the date or dates when any bonds representing said debt, or any part thereof, are to mature, and the amount or amounts of said debt, or any part thereof, which shall mature upon the aforesaid date or dates; and the semi-annual dates in each year, during the entire period of time when any of said bonds are outstanding, when interest on any of said bonds shall be payable;

(b) The form or forms of the bonds representing the debt, or any part thereof, authorized to be issued under the provisions of this Ordinance at any particular time, including any interest coupons to be attached thereto; the provisions, if any, for the issuance of coupon bonds; the provisions, if any, for the issuance of fully registered bonds; the provisions, if any, for the registration as to principal of any coupon bonds; and the provisions, if any, for the conversion and reconversion into coupon bonds of any fully registered bonds or coupon bonds

registered as to principal; the place or places for the payment of principal and interest of said bonds; and the date of said bonds issued at any particular time, and the right of redemption of said bonds by the City prior to maturity; and

(c) The time, place, manner and medium of advertisement of the readiness of the Board of Finance, acting for and on behalf of the Mayor and City Council of Baltimore, to receive bids for the purchase of the bonds authorized to be issued hereunder, or any part thereof; the form, terms and conditions of such bids; the time, place and manner of awarding bonds so bid for, including the right whenever any of the bonds authorized by this Ordinance are offered for sale and sold at the same time as other bonds of said City, to establish the conditions for bids and awards and to award all of said bonds on an all or none basis; and the time, place, terms and manner of settlement for the bonds so bid for.

SEC. 4. AND BE IT FURTHER ORDAINED, That:

(a) All premiums resulting from the sale of any of the bonds issued and sold pursuant to the provisions of this Ordinance shall be applied first to defray the cost of issuance thereof and the balance, if any, shall be applied to the payment of interest on any of said bonds becoming due and payable during the fiscal year in which said bonds are issued and sold or during the next succeeding fiscal year.

(b) The debt authorized by the provisions of this Ordinance, and the bonds issued and sold pursuant thereto and their transfer, and the principal and interest payable thereon (including any profit made in the sale thereof), shall be and remain exempt from any and all State, county and municipal taxation in the State of Maryland.

(c) All bonds issued and sold pursuant to the provisions of this Ordinance shall be sold at public sale to the highest responsible bidder or bidders therefor after due notice of such sale, but the Mayor and City Council of Baltimore, acting by and through the Board of Finance thereof, shall have the right to reject any or all bids therefor for any reason, and thereafter reoffer such bonds at public sale as aforesaid or at private sale, provided that if such bonds be offered at private sale, they shall be offered for sale and sold for not less than par and accrued interest.

SEC. 5. AND BE IT FURTHER ORDAINED, That until all of the interest on ~~the~~ and principal of any bonds issued pursuant to the provisions of this Ordinance ~~has~~ have been paid in full, the Mayor and City Council of Baltimore shall levy and impose an annual tax on each One Hundred Dollars (\$100.00) of assessable property in the City of Baltimore at a rate sufficient to produce revenue to pay all interest on and principal of all bonds theretofore issued and outstanding or authorized to be issued and outstanding, payable in the next succeeding year.

SEC. 6. AND BE IT FURTHER ORDAINED, That this Ordinance shall be submitted to the legal voters of the City of Baltimore, for their approval or disapproval, at the General Election to be held in Baltimore City, on Tuesday, the 8th day of November, 1988.

SEC. 7. AND BE IT FURTHER ORDAINED, That prior to the date of the election hereinbefore mentioned, notice shall be given to the public of the amount of money which the Mayor and City Council of Baltimore is authorized to borrow, and the general purposes for which such borrowed funds may be expended, under the terms and provisions of this Ordinance, and the time when the election hereinbefore mentioned is to be held; and such public notice shall be given in such manner and by such means or through such media and at such time or times as may be determined, from time to time, by a majority of the Board of Finance.

SEC. 8. AND BE IT FURTHER ORDAINED, That the actual cash proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance, not exceeding the par value thereof, shall be used exclusively for the following purposes, to wit:

(a) So much thereof as may be necessary, in addition to the premium realized from the sale, if any, for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith; and

(b) The remainder of such proceeds shall be used for the acquisition, by purchase, lease, condemnation or any other legal means, of land or property, or any rights therein, in the City of Baltimore, and constructing and erecting on said land or property, or on any land or property now or hereafter owned by the Mayor and City Council of Baltimore, new school buildings, athletic and other auxiliary facilities, and for additions and improvements to, or the modernization or reconstruction of, including the removal and encapsulation of asbestos from, existing school buildings or facilities, and for equipment for any and all new or existing facilities authorized to be constructed, erected, added to, improved, modernized or reconstructed by the provisions hereof, and for architectural or engineering services or surveys, and any other activities relating to planning for the purposes above mentioned or relating to planning for future projects of the same general character which may be constructed out of future loans.

(c) The use of the proceeds of the sale of the bonds shall be limited to expenditures for capital improvement projects having an estimated service life of not less than fifteen (15) years, and such proceeds shall not be used for current operating expenses of the City.

SEC. 9. AND BE IT FURTHER ORDAINED, That in the expenditure of the proceeds of sale of said bonds, the mayor and City Council

of Baltimore shall observe the following conditions:

(a) Subject to the provisions of the Charter of Baltimore City relating to the Planning Commission, the Board of School Commissioners of Baltimore City shall have the authority to select sites for the construction of the new school buildings hereby authorized;

(b) All plans and specifications for the construction or reconstruction of school buildings, or for additions or improvements to school buildings, to be financed out of the proceeds derived from the sale of the bonds herein authorized to be issued, shall be subject to the approval of said Board of School Commissioners prior to final acceptance of such plans and specifications, and the endorsement of approval by said Board of such plans and specifications shall be made thereon, and shall also be recorded by said Board in its official minutes;

(c) All changes in approved plans and specifications which may be found necessary and expedient during the course of construction shall also be subject to the approval of the Board of School Commissioners of Baltimore City, and shall also be recorded by said Board in its official minutes: and

(d) No part of the proceeds derived from the sale of the bonds hereby authorized to be issued shall be expended without the approval of the Board of School Commissioners of Baltimore City.

SEC. 10. AND BE IT FURTHER ORDAINED, That the expenditure of the proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance shall be in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinance of Estimates of the Mayor and City Council of Baltimore.

July 5, 1988

KURT L. SCHMOKE, Mayor

ENROLLED COPY

ORDINANCE NO. 123

(Council No. 81)

AN ORDINANCE concerning

RETIREMENT SYSTEMS - FIRE AND POLICE EMPLOYEES

FOR the purpose of amending the definition of "average final compensation" to change prospectively the compensation amount used for retirement benefit calculations from the average of the 2 highest salary years to the **annualized**

average annual salary paid or payable during the final year of service 18 months the employee's compensation was highest; and providing for full retirement after 20 years of service, rather than 25 years of service, regardless of age; providing for the use of the projected unit credit cost method; providing for application of the unallocated interest surplus of July 1, 1987; providing for the purpose of pension calculation for a fractional rate increase for each year of the first 20 years of service; and providing for a sliding scale of increased member contributions ending at 7% on July 1, 1990; certain increases in the pension accrual rate; providing for certain increases in the rate of members' contributions; and providing for the members' contributions being "picked up" by the City.

By repealing

Article 22 - Retirement Systems

Subtitle - Fire and Police Employees

Section 34(b)(5)

Baltimore City Code (1983 Replacement Volume, as amended)

By amending

Article 22 - Retirement Systems

Subtitle - Fire and Police Employees

Sections 30(11), 34(a)(1), 34(b), 36(h)

Baltimore City Code (1983 Replacement Volume, as amended)

By adding

Article 22 - Retirement Systems

Subtitle - Fire and Police Employees

Section 33(r), final sentence to 35(b)

Baltimore City Code (1983 Replacement Volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Section(s) of the Baltimore City Code (1983 Replacement Volume, as amended) be added, repealed, or amended, to read as follows:

ARTICLE 22 - RETIREMENT SYSTEMS
Fire and Police Employees

30. Definitions.

The following words and phrases as used in this subtitle, unless a different meaning is plainly required by the context, shall have the following meaning:

~~{11}-"Average-Final-Compensation"-shall-mean-the-average annual-compensation;-pay-or-salary-earnable-by-a-member-for-the three-consecutive-years-of-service-as-an-employee-during-which his-earnable-compensation-was-highest;-or-if-he-had-less-than three-years-of-service-then-the-average-annual-compensation;-pay or-salary-earnable-by-him-during-his-total-years-of-service-- Provided;-however;-for-members-who-retire-on-or-after-July-17-~~

1986,--"Average-Final-Compensation"-shall-mean-the-average-annual compensation, pay or salary earnable by a member for the two consecutive years of service as an employee during which his earnable compensation was highest, or if he had less than two years of service then the average annual compensation, pay or salary earnable by him during his actual year(s) of service, provided that the member had at least 2 years of service in that grade.--If the member has completed less than 2 years of service in the grade within which the member was serving at the time of retirement, then average final compensation shall mean the annual compensation, pay or salary which would have been earnable by the member if he had served in his immediately previous grade during his final year of service as an employee.--In no event shall the retirement benefits of a member, as a result of the implementation of the definition of "Average-Final-Compensation" enacted by Ordinance 762, 1986, effective July 1, 1986, be less than the benefit said member would have been entitled to prior to July 1, 1986.--PROVIDED FURTHER, HOWEVER, FOR MEMBERS WHO RETIRE ON OR AFTER JULY 1, 1988, "AVERAGE-FINAL-COMPENSATION" SHALL MEAN THE ANNUAL COMPENSATION, PAY OR SALARY EARNABLE BY A MEMBER FOR THE SINGLE YEAR OF SERVICE AS AN EMPLOYEE DURING WHICH HIS EARNABLE COMPENSATION WAS HIGHEST.--"Earnable" shall include all usual compensation, in whatever manner paid, such as lodging, subsistence, etc.--In cases where compensation is not all paid in money, the Board of Trustees shall fix the value of that part of the compensation not paid in money.

(11) "Average Final Compensation" shall mean the average annual compensation, pay or salary earnable by a member for the three consecutive years of service as an employee during which his earnable compensation was highest, or if he had less than three years of service then the average annual compensation, pay or salary earnable by him during his total years of service. Provided, however, for members who retire on or after July 1, 1986, AND BEFORE JULY 1, 1988, "Average Final Compensation" shall mean the average annual compensation, pay or salary earnable by a member for the two consecutive years of service as an employee during which his earnable compensation was highest, provided the member had at least 2 years of service in that grade, or if he had less than two years of service then the average annual compensation, pay or salary earnable by him during his actual year(s) of service. PROVIDED FURTHER, HOWEVER, FOR MEMBERS WHO RETIRE ON OR AFTER JULY 1, 1988, "AVERAGE FINAL COMPENSATION" SHALL MEAN THE AVERAGE ANNUAL COMPENSATION, PAY OR SALARY EARNABLE BY A MEMBER FOR THE 18 CONSECUTIVE MONTHS OF SERVICE AS AN EMPLOYEE DURING WHICH HIS EARNABLE COMPENSATION WAS HIGHEST, PROVIDED THAT THE MEMBER HAD AT LEAST TWO YEARS OF SERVICE IN THAT THE GRADE. FOR THIS PURPOSE, 18 MONTHS OF SERVICE SHALL MEAN THE 18-MONTH PERIOD ENDING ON THE MEMBER'S LAST DAY OF EMPLOYMENT, OR SUCH OTHER 18-MONTH PERIOD PRODUCING THE HIGHEST AVERAGE-FINAL-COMPENSATION.

If the member has completed less than 2 years of service in the grade within which the member was serving at the time of retirement, then average final compensation shall mean the annual

compensation, pay or salary which would have been earnable by the member if he had served in his immediately previous grade during his final two years of service as an employee. In no event shall the retirement benefits of a member, as a result of the implementation of the definition of "Average Final Compensation" enacted by Ordinance [762, 1986], effective July 1, [1986] 1988 be less than the benefit said member would have been entitled to prior to July 1, [1986] 1988. "Earnable" shall include all usual compensation, in whatever manner paid, such as lodging, subsistence, etc. In cases where compensation is not all paid in money, the Board of Trustees shall fix the value of that part of the compensation not paid in money.

33. Administration.

(R) ACTUARIAL FUNDING METHOD.

EFFECTIVE WITH THE YEAR BEGINNING JULY 1, 1988, THE RETIREMENT SYSTEM SHALL BE FUNDED USING THE PROJECTED UNIT CREDIT COST METHOD.

34. Benefits.

(a) Service retirement benefits.

(1) Any member in service may retire upon his written application to the Board of Trustees setting forth at what time, not less than thirty days nor more than ninety days subsequent to the execution and filing thereof, he desires to be retired, provided that the said member at the time so specified for his retirement shall have attained the age of fifty or shall have acquired twenty-five years of service as an employee, and notwithstanding that, during such period of notification, he may have separated from service. PROVIDED, HOWEVER, FOR MEMBERS WHO RETIRE ON OR AFTER JULY 1, 1988 1989, THE PRECEDING SENTENCE SHALL BE AMENDED READ BY SUBSTITUTING "TWENTY YEARS OF SERVICE" IN PLACE OF "TWENTY-FIVE YEARS OF SERVICE."

~~(3)-Anything-in-this-subsection-to-the-contrary notwithstanding,-any-employee-who-becomes-a-member-at-the-time-of the-establishment-of-this-system,-and-who-is-fifty-five,-or-more years-of-age,-or-who-will-attain-the-age-of-fifty-five-years before-having-twenty-five-years-of-service,-may-be-continued-in service-until-the-completion-of-twenty-five-years-of-service,-or the-attainment-of-age-sixty-five,-whichever-occurs-first.- PROVIDED,-HOWEVER,-FOR-MEMBERS-WHO-RETIRE-ON-OR-AFTER-JULY-1,- 1988,-THE-PRECEDING-SENTENCE-SHALL-BE-AMENDED-BY-SUBSTITUTING- "TWENTY-YEARS-OF-SERVICE"-IN-PLACE-OF-"TWENTY-FIVE-YEARS-OF SERVICE."~~

(b) Allowance on service retirement. Upon retirement from service a member shall receive a service retirement allowance which shall consist of: AS FOLLOWS:

(1) FOR ANY MEMBER WHO RETIRES ON OR BEFORE JUNE 30, 1989, THE SERVICE RETIREMENT ALLOWANCE SHALL CONSIST OF:

(1) (A) An annuity which shall be the actuarial equivalent of his accumulated contributions at the time of his retirement; and

(2) (B) For each year of service, in addition to his annuity, a pension which shall be equal to one one-hundredth of his average final compensation for each of the first twenty-five years of service, less any prior service, and one one-hundred-twentieth of his average final compensation for each year after the first twenty-five years of service less any prior service; ~~PROVIDED, HOWEVER, FOR ANY MEMBER WHO RETIRES ON OR AFTER JULY 1, 1988-1989, THE PENSION SHALL BE EQUAL TO ONE EIGHTIETH-1-1/8% OF HIS AVERAGE FINAL COMPENSATION FOR EACH OF THE FIRST TWENTY YEARS OF SERVICE, LESS ANY PRIOR SERVICE, AND ONE ONE HUNDRED TWENTIETH-1-1/4% OF HIS AVERAGE FINAL COMPENSATION FOR EACH YEAR AFTER THE FIRST TWENTY YEARS OF SERVICE, LESS ANY PRIOR SERVICE, AND 5/6% OF HIS AVERAGE FINAL COMPENSATION FOR EACH YEAR AFTER TWENTY TWO YEARS OF SERVICE, LESS ANY PRIOR SERVICE,~~ and

(3) (C) If he has been credited with prior service, a supplemental pension which shall be equal to one-fiftieth of his average final compensation multiplied by the number of years of such prior service; and

(4) (D) If at the time of retirement the annuity determined in accordance with Section 34(b)(1)(A) resulting from the member's contributions for service is less than the pension resulting from the member's years of service determined in accordance with Section 34(b)(2)(1)(B), a supplemental pension equal to the difference between the two shall be payable.

~~(5)-Provided, however, that for a member who retired before July 1, 1986, and at the time of retirement had not attained the age of fifty, the pension and supplemental pensions, if any, payable at retirement shall be~~

~~(i)-the actuarial equivalent of the pension in Section 34(b)(2)-plus~~

~~(ii)-the actuarial equivalent of the supplemental pension in Section 34(b)(3)-plus~~

~~(iii)-if the annuity in Section 34(b)(1) is less than the pension in (i) a supplemental pension equal to such difference, or such member may elect at the time of retirement to have his service retirement allowance deferred to commence upon the attainment of the age of fifty, in which event the annuity shall be the actuarial equivalent of his accumulated contributions at age fifty and the pensions payable shall be in the amounts computed as provided in (2), (3) and (4).~~

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(E) The additional annuity provided as the result of voluntary contributions permitted under Section 36(b)(4) shall be payable and shall not be used in determining this supplemental pension, if any, payable under this subdivision, nor in determining the disability pension under Section 34(d)(2).

(2) FOR ANY MEMBER WHO RETIRES ON OR AFTER JULY 1, 1989, THE SERVICE RETIREMENT ALLOWANCE SHALL CONSIST OF:

(A) AN ANNUITY WHICH SHALL BE THE ACTUARIAL EQUIVALENT OF HIS ACCUMULATED CONTRIBUTIONS AT THE TIME OF HIS RETIREMENT; AND

(B) A PENSION, WHICH TOGETHER WITH HIS ANNUITY SHALL BE EQUAL TO 2.25% OF HIS AVERAGE FINAL COMPENSATION FOR EACH YEAR OF THE FIRST TWENTY (20) YEARS OF SERVICE, 2.50% OF HIS AVERAGE FINAL COMPENSATION FOR EACH YEAR OF HIS NEXT TWO (2) YEARS OF SERVICE, AND 1.67% OF HIS AVERAGE FINAL COMPENSATION FOR EACH YEAR OF SERVICE THEREAFTER.

(C) THE ADDITIONAL ANNUITY PROVIDED AS A RESULT OF VOLUNTARY CONTRIBUTIONS PERMITTED UNDER SECTION 36(B)(4) SHALL BE PAYABLE AND SHALL NOT BE USED IN DETERMINING THE PENSION PAYABLE UNDER SECTION 34(B)(2)(B) NOR IN DETERMINING THE DISABILITY PENSION UNDER SECTION 34(D)(2).

35. MANAGEMENT OF FUNDS.

(B) INTEREST.

* * * * *

ANY UNALLOCATED INTEREST SURPLUS IN THE RETIREMENT SYSTEM AS OF JULY 1, 1987, SHALL BE APPLIED TO REDUCE THE UNFUNDED ACCRUED PAST SERVICE LIABILITY OF THE SYSTEM.

36. Method of financing.

(h) Percent of compensation contributable.

(1) Notwithstanding the funding provisions hereinabove set forth in this section, effective with the first full payroll period commencing closest to July 1, 1973, the contribution by a member to the retirement system shall equal five percent (5%) of his regular compensation, such contribution to continue throughout such member's entire period of service. However, any member in the system prior to July 1, 1967 who elected to continue contributing at his rate of contribution as established prior to July 1, 1967 and to discontinue contributions at age 50, after 25 years of service, shall continue at a rate which is one percent (1%) less than his present rate of contribution. Overtime pay shall not be included within the term "regular compensation".

EFFECTIVE WITH THE FIRST FULL PAYROLL PERIOD COMMENCING CLOSEST TO JANUARY 1, 1989, EACH MEMBER WHO WOULD OTHERWISE CONTRIBUTE FIVE PERCENT (5%) OF HIS REGULAR COMPENSATION SHALL CONTRIBUTE SIX AND ONE-HALF PERCENT (6 1/2%) OF HIS REGULAR COMPENSATION, SUCH CONTRIBUTION TO CONTINUE UNTIL THE FIRST FULL PAYROLL PERIOD COMMENCING CLOSEST TO JULY 1, 1989 WHEN IT SHALL BECOME SIX AND THREE-QUARTERS PERCENT (6 3/4%) OF HIS REGULAR COMPENSATION; EFFECTIVE WITH THE FIRST FULL PAYROLL PERIOD COMMENCING CLOSEST TO JULY 1, 1990, EACH MEMBER SHALL CONTRIBUTE SEVEN PERCENT (7%) OF HIS REGULAR COMPENSATION, SUCH CONTRIBUTION TO CONTINUE THROUGHOUT SUCH MEMBER'S REMAINING PERIOD OF SERVICE.

(2) FOR MEMBERS IN THE SYSTEM PRIOR TO JULY 1, 1967, WHO ELECTED TO DISCONTINUE CONTRIBUTIONS AT AGE 50 IN ACCORDANCE WITH THE PRECEDING PARAGRAPH OF THIS SECTION 36(H), EFFECTIVE WITH THE FIRST FULL PAYROLL PERIOD COMMENCING CLOSEST TO JANUARY 1, 1989, SUCH MEMBER SHALL CONTRIBUTE ONE AND ONE-HALF PERCENT (1 1/2%) OF HIS REGULAR COMPENSATION, SUCH CONTRIBUTION TO CONTINUE UNTIL THE FIRST FULL PAYROLL PERIOD COMMENCING CLOSEST TO JULY 1, 1989, WHEN IT SHALL BECOME ONE AND THREE-QUARTERS (1 3/4%) OF HIS REGULAR COMPENSATION; EFFECTIVE WITH THE FIRST FULL PAYROLL PERIOD COMMENCING CLOSEST TO JULY 1, 1990, EACH SUCH MEMBER SHALL CONTRIBUTE TWO PERCENT (2%) OF HIS REGULAR COMPENSATION, SUCH CONTRIBUTION TO CONTINUE THROUGHOUT SUCH MEMBER'S REMAINING PERIOD OF SERVICE.

(2) PROVIDED, HOWEVER, THAT SUCH CONTRIBUTIONS
(3) EFFECTIVE WITH THE FIRST FULL PAYROLL PERIOD COMMENCING CLOSEST TO JANUARY 1, 1989, THE CONTRIBUTIONS DESCRIBED IN THIS SECTION 36(H) SHALL BE TREATED AS BEING "PICKED-UP" BY THE CITY OF BALTIMORE WITHIN THE MEANING OF SECTION 414(H)(2) OF THE INTERNAL REVENUE CODE OF 1986 AS AMENDED. PURSUANT TO SECTION 414(H)(2), THE CITY OF BALTIMORE SHALL PAY SUCH PICK-UP CONTRIBUTIONS TO THE PLAN, AND SHALL EXCLUDE SUCH CONTRIBUTIONS FROM THE GROSS INCOME OF THE MEMBERS, PROVIDED, HOWEVER, THAT SUCH PICKED UP CONTRIBUTIONS SHALL NOT BE EXCLUDED FROM "AVERAGE FINAL COMPENSATION" IN COMPUTING THE AMOUNT OF ANY RETIREMENT ALLOWANCE UNDER THE SYSTEM OR ANY OTHER BENEFIT PAID OR PAYABLE IN CONNECTION WITH THE MEMBER'S EMPLOYMENT. EACH MEMBER SHALL AT ALL TIMES BE FULLY VESTED IN SUCH CONTRIBUTIONS. AS SOON AS ADMINISTRATIVELY PRACTICABLE, THE CITY SHALL REQUEST A PRIVATE LETTER RULING FROM THE INTERNAL REVENUE SERVICE TO THE EFFECT THAT THE CONTRIBUTIONS SO PICKED UP BY THE CITY ON BEHALF OF MEMBERS OF THE RETIREMENT SYSTEM SHALL BE TREATED AS EMPLOYER CONTRIBUTIONS DESCRIBED IN CODE SECTION 414(H)(2) AND WILL NOT BE INCLUDABLE IN THE MEMBERS' GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES FOR THE YEAR IN WHICH THEY ARE CONTRIBUTED. IN THE EVENT THE INTERNAL REVENUE SERVICE RULES THAT THE CITY'S PICK UP OF CONTRIBUTIONS DOES NOT SATISFY THE REQUIREMENTS OF CODE SECTION 414(H)(2), OR IN THE EVENT SECTION 414(H)(2) IS REPEALED, THE CONTRIBUTION RATES SET FORTH IN THIS SECTION 36(H) SHALL REMAIN IN EFFECT, AND THE CONTRIBUTIONS SHALL NO LONGER BE TREATED AS PICKED UP BY THE CITY BUT SHALL BE PAID INSTEAD DIRECTLY BY THE MEMBER.

Ord. No. 124

SEC. 2. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect on July 1, 1988.

July 6, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 124

(Council No. 202)

AN ORDINANCE concerning

BOND ISSUE - FIRE DEPARTMENT LOAN

FOR the purpose of authorizing the Mayor and City Council of Baltimore (pursuant to Resolution I of 1988 approved by the members of the General Assembly of Maryland representing Baltimore City), to issue and sell its certificates of indebtedness to an amount not exceeding One Million Seven Hundred Thousand Dollars (\$1,700,000.00), the proceeds derived from the sale of the same to be used for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith, and the remainder of such proceeds shall be used for the acquisition, by purchase, lease, condemnation or any other legal means, of land or property, or any rights therein, in the City of Baltimore, and for constructing and erecting on said land or property, or on any land or property now or hereafter owned by the Mayor and City Council of Baltimore, buildings, structures or facilities to be used by the Fire Department of Baltimore City for fire stations, and for additions and improvements to, or the modernization or reconstruction of existing Fire Department facilities, and for the acquisition and installation of equipment for any and all existing facilities, or new facilities authorized to be constructed, erected, added to, improved, modernized, or reconstructed by the provisions hereof, and for doing any and all things necessary, proper or expedient in connection with or pertaining to any or all of the matters or things hereinbefore mentioned; limiting the use of the proceeds of the sale of the bonds to expenditures for capital improvement projects having an estimated service life of not less than fifteen (15) years, and providing that such proceeds shall not be used for current operating expenses of the City; to confer and impose upon the Board of Finance of Baltimore City certain powers and duties; to authorize the submission of this Ordinance to the legal voters of the City of Baltimore, for their approval or disapproval, at the General Election to be held in Baltimore City on Tuesday, the 8th day of November, 1988 and providing for the expenditure of the proceeds of sale of said certificates of indebtedness in accordance with the provisions of the

AL COLLEGE PARK LIBRARIES

Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinance of Estimates of the Mayor and City Council of Baltimore.

WHEREAS, By Resolution I of 1988 approved by the Members of the General Assembly of Maryland representing Baltimore City, the Mayor and City Council of Baltimore is authorized to create a debt and to issue and sell its certificates of indebtedness (hereinafter called "bonds") as evidence thereof, to an amount not exceeding One Million Seven Hundred Thousand Dollars (\$1,700,000.00) in the manner and upon the terms set forth in said Resolution, the net ~~ease~~ cash proceeds derived from the sale of said bonds, not exceeding the par value of said bonds, to be used for Fire Department purposes as authorized by said Resolution; and

WHEREAS, Funds are now needed for said purposes; ~~now~~; therefore,

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Mayor and City Council of Baltimore, acting by and through the Board of Finance of said municipality, be and it is hereby authorized and empowered to issue bonds of the Mayor and City Council of Baltimore to an amount not exceeding One Million Seven Hundred Thousand Dollars (\$1,700,000.00), from time to time, as the same may be needed or required for the purposes hereinafter named and said bonds shall be sold by said Board of Finance from time to time and at such times as shall be requisite, and the proceeds derived from the sale of said bonds shall be used for the purposes hereinafter named, provided that this Ordinance shall not become effective unless it shall be approved by a majority of the votes of the legal voters of Baltimore City cast at the time and place hereinafter designated by this Ordinance.

SEC. 2. AND BE IT FURTHER ORDAINED, That:

(a) Said bonds shall be issued in denominations of not less than One Thousand Dollars (\$1,000.00) each, but may be in sums of One Thousand Dollars (\$1,000.00), or any suitable multiple thereof.

(b) Said bonds, or any part thereof, shall be issued in accordance with a serial maturity plan so worked out as to discharge the entire principal amount represented thereby within not more than forty (40) years from the date of their issuance; provided, however, that it shall not be necessary to provide for the maturity of any part of the principal amount represented by any of said bonds for the first five (5) years from the date of their issuance.

(c) Said bonds, when issued, shall bear interest at such rate or rates as may be determined by a majority of the Board of Finance by resolution at such time or times when any of said bonds are issued, and such interest shall be payable semi-

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annually.

SEC. 3. AND BE IT FURTHER ORDAINED, That a majority of the Board of Finance of the Mayor and City Council of Baltimore be, and they are hereby, authorized to pass a resolution or resolutions, from time to time, to determine and set forth any or all of the following:

(a) The amount of debt to be incurred by the Mayor and City Council of Baltimore at any particular time, and from time to time, under and pursuant to the provisions of this Ordinance; the date or dates when any bonds representing said debt, or any part thereof, are to mature, and the amount or amounts of said debt, or any part thereof, which shall mature upon the aforesaid date or dates; and the semi-annual dates in each year, during the entire period of time when any of said bonds are outstanding, when interest on any of said bonds shall be payable.

(b) The form or forms of the bonds representing the debt, or any part thereof, authorized to be issued under the provisions of this Ordinance at any particular time, including any interest coupons to be attached thereto; the provisions, if any, for the issuance of coupon bonds; the provisions, if any, for the issuance of fully registered bonds; the provisions, if any, for the registration as to principal of any coupon bonds; and the provisions, if any, for the conversion and reconversion into coupon bonds of any fully registered bonds or coupon bonds registered as to principal; the place or places for the payment of principal and interest of said bonds; and the date of said bonds issued at any particular time, and the right of redemption of said bonds by the City prior to maturity; and

(c) The time, place, manner and medium of advertisement of the readiness of the Board of Finance, acting for ~~an~~ and on behalf of the Mayor and City Council of Baltimore, to receive bids for the purchase of the bonds authorized to be issued hereunder, or any part thereof; the form, terms and conditions of such bids; the time, place and manner of awarding bonds so bid for, including the right whenever any of the bonds authorized by this Ordinance are offered for sale and sold at the same time as other bonds of said City, to establish the conditions for bids and awards and to award all of said bonds on an all or none basis; and the time, place, terms and manner of settlement for the bonds so bid for.

SEC. 4. AND BE IT FURTHER ORDAINED, That:

(a) All premiums resulting from the sale of any of the bonds issued and sold pursuant to the provisions of this Ordinance shall be applied first to defray the cost of issuance thereof and the balance, if any, shall be applied to the payment of interest on any of said bonds becoming due and payable during the fiscal year in which said bonds are issued and sold or during the next succeeding fiscal year.

(b) The debt authorized by the provisions of this Ordinance, and the bonds issued and sold pursuant thereto and their transfer, and the principal and interest payable thereon (including any profit made in the sale thereof), shall be and remain exempt from any and all State, county and municipal taxation in the State of Maryland.

(c) All bonds issued and sold pursuant to the provisions of this Ordinance shall be sold at public sale to the highest responsible bidder or bidders therefor after due notice of such sale, but the Mayor and City Council of Baltimore, acting by and through the Board of Finance thereof, shall have the right to reject any or all bids therefor for any reason, and thereafter reoffer such bonds at public sale as aforesaid or at private sale, provided that if such bonds be offered at private sale they shall be offered for sale and sold for not less than par and accrued interest.

SEC. 5. AND BE IT FURTHER ORDAINED, That until all of the interest on and principal of any bonds issued pursuant to the provisions of this Ordinance have been paid in full, the Mayor and City Council of Baltimore shall levy and impose an annual tax on each One Hundred Dollars (\$100.00) of assessable property in the City of Baltimore at a rate sufficient to produce revenue to pay all interest on and principal of all bonds theretofore issued and outstanding or authorized to be issued and outstanding, payable in the next succeeding year.

SEC. 6. AND BE IT FURTHER ORDAINED, That this Ordinance shall be submitted to the legal voters of the City of Baltimore, for their approval or disapproval, at the General Election to be held in Baltimore City, on Tuesday, the 8th day of November, 1988.

SEC. 7. AND BE IT FURTHER ORDAINED, That prior to the date of the election hereinbefore mentioned, notice shall be given to the public of the amount of money which the Mayor and City Council of Baltimore is authorized to borrow, and the general purposes for which such borrowed funds may be expended, under the terms and provisions of this Ordinance, and the time when the election hereinbefore mentioned is to be held; and such public notice shall be given in such manner and by such means or through such media and at such time or times as may be determined, from time to time, by a majority of the Board of Finance.

SEC. 8. AND BE IT FURTHER ORDAINED, That the actual cash proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance, not exceeding the par value thereof, shall be used exclusively for the following purposes, to wit:

(a) So much thereof as may be necessary, in addition to the premium realized from the sale, if any, for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses

connected therewith; and

(b) The remainder of such proceeds shall be used for the acquisition, by purchase, lease, condemnation or any other legal means, of land or property, or any rights therein, in the City of Baltimore, and for constructing and erecting on said land or property, or on any land or property now or hereafter owned by the Mayor and City Council of Baltimore, buildings, structures or facilities to be used by the Fire Department of Baltimore City for fire stations, and for additions and improvements to, or the modernization or reconstruction of, existing Fire Department facilities, and for the acquisition and installation of equipment for any and all existing facilities or new facilities authorized to be constructed, erected, added to, improved, modernized or reconstructed by the provisions hereof, and for doing any and all things necessary, proper or expedient in connection with or pertaining to any or all of the matters or things hereinbefore mentioned.

(c) The use of the proceeds of the sale of the bonds shall be limited to expenditures for capital improvement projects having an estimated service life of not less than fifteen (15) years, and such proceeds shall not be used for current operating expenses of the City.

SEC. 9. AND BE IT FURTHER ORDAINED, That the expenditure of the proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance shall be in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinance of Estimates of the Mayor and City Council of Baltimore.

JULY 7, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 125

(Council No. 204)

AN ORDINANCE concerning

BOND ISSUE - ECONOMIC DEVELOPMENT LOAN

FOR the purpose of authorizing the Mayor and City Council of Baltimore (pursuant to Resolution ~~WFF~~ VIII of 1988 approved by the members of the General Assembly of Maryland representing Baltimore City), to issue and sell its certificates of indebtedness to an amount not exceeding Twelve Million Five Hundred Thousand Dollars (\$12,500,000.00), the proceeds derived from the sale of the same to be used for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith,

and the remainder of such proceeds shall be used for or in connection with planning, developing, executing, and making operative the commercial and industrial Economic Development Program of the Mayor and City Council of Baltimore, including, but not limited to , the acquisition, by purchase, lease, condemnation or any other legal means, of land or property, or any right, interest, franchise, easement or privilege therein, in the City of Baltimore; the payment of any and all costs and expenses incurred in connection with or incidental to the acquisition and management of said land or property, including any and all rights or interest therein hereinbefore mentioned; the payment of any and all costs and expenses incurred for or in connection with relocating and moving persons or other legal entities displaced by the acquisition of said land or property, or any of the rights or interests therein hereinbefore mentioned; the development, or redevelopment, including, but not limited to, the comprehensive renovation or rehabilitation of any land or property, or any rights or interests therein hereinbefore mentioned, in the City of Baltimore, and the disposition of land and property for such purposes; the elimination of unhealthful, unsanitary or unsafe conditions, lessening density, eliminating obsolete or other uses detrimental to the public welfare or otherwise removing or preventing the spread of blight or deterioration in the City of Baltimore; the demolition, removal, relocation, renovation or alteration of land, buildings, streets, highways, alleys, utilities or services, and other structures or improvements, and for the construction, reconstruction, installation, relocation or repair of buildings, streets, highways, alleys, utilities or services, and other structures or improvements; the planning, developing, executing and making operative the enterprise development program of the Mayor and City Council of Baltimore for purposes of making equity investments in, and loans and loan guarantees to, enterprises, including any individual, partnership, joint venture, carrying on business or proposing to carry on business within the City of Baltimore, to be used for or in connection with the financing, developing, operating and administering of such enterprises; the payment of any and all costs and expenses incurred for or in connection with doing any or all of the things herein mentioned, including, but not limited to, the costs and expenses of securing administrative, appraisal, economic analysis, engineering, planning, designing, architectural, surveying, and other professional services; and doing any and all things necessary, proper or expedient in connection with or pertaining to any or all of the matters or things hereinbefore mentioned; limiting the use of the proceeds of the sale of the bonds to expenditures for capital improvement projects having an estimated service life of not less than fifteen (15) years, and providing that such proceeds shall not be used for current operating expenses of the City; conferring and imposing upon the Board of Finance of Baltimore City certain powers and duties;

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authorizing the submission of this ordinance to the legal voters of the City of Baltimore, for their approval or disapproval, at the General Election to be held in Baltimore City on Tuesday, the 8th day of November, 1988 and providing for the expenditure of the proceeds of sale of said certificates of indebtedness in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the Annual Ordinance of Estimates of the Mayor and City Council of Baltimore.

WHEREAS, By Resolution VIII of 1988 approved by the Members of the General Assembly of Maryland representing Baltimore City, the Mayor and City Council of Baltimore is authorized to create a debt and to issue and sell its certificates of indebtedness (hereinafter called "bonds") as evidence thereof, to an amount not exceeding Twelve Million Five Hundred Thousand Dollars (\$12,500,000.00) in the manner and upon the terms set forth in said Resolution, the proceeds thereof, not exceeding the par value of said certificates of indebtedness, to be used for or in connection with the commercial and industrial Economic Development Program of the City of Baltimore; and

WHEREAS, Funds are now needed for said purposes; now, therefore,

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Mayor and City Council of Baltimore, acting by and through the Board of Finance of said municipality, be and it is hereby authorized and empowered to issue bonds of the Mayor and City Council of Baltimore to an amount not exceeding Twelve Million Five Hundred Thousand Dollars (\$12,500,000.00), from time to time, as the same may be needed or required for the purposes hereinafter named and said bonds shall be sold by said Board of Finance from time to time and at such times as shall be requisite, and the proceeds derived from the sale of said bonds shall be used for the purposes hereinafter named, provided that this Ordinance shall not become effective unless it shall be approved by a majority of the votes of the legal voters of Baltimore City cast at the time and place hereinafter designated by this Ordinance.

SEC. 2. AND BE IT FURTHER ORDAINED, That:

(a) Said bonds shall be issued in denominations of not less than One Thousand Dollars (\$1,000.00) each, but may be in sums of One Thousand Dollars (\$1,000.00), or any suitable multiple thereof.

(b) Said bonds, or any part thereof, shall be issued in accordance with a serial maturity plan so worked out as to discharge the entire principal amount represented thereby within not more than forty (40) years from the date of their issuance; provided, however, that it shall not be necessary to provide for the maturity of any part of the principal amount represented by

any of said bonds for the first five (5) years from the date of their issuance.

(c) Said bonds, when issued, shall bear interest at such rate or rates as may be determined by a majority of the Board of Finance by resolution at such time or times when any of said bonds are issued, and such interest shall be payable semi-annually.

SEC. 3. AND BE IT FURTHER ORDAINED, That a majority of the Board of Finance of the Mayor and City Council of Baltimore be, and they are hereby, authorized to pass a resolution or resolutions, from time to time, to determine and set forth any or all of the following:

(a) The amount of debt to be incurred by the Mayor and City Council of Baltimore at any particular time, and from time to time, under and pursuant to the provisions of this Ordinance; the date or dates when any bonds representing said debt, or any part thereof, are to mature, and the amount or amounts of said debt, or any part thereof, which shall mature upon the aforesaid date or dates; and the semi-annual dates in each year, during the entire period of time when any of said bonds are outstanding, when interest on any of said bonds shall be payable.

(b) The form or forms of the bonds representing the debt, or any part thereof, authorized to be issued under the provisions of this Ordinance at any particular time, including any interest coupons to be attached thereto; the provisions, if any, for the issuance of coupon bonds; the provisions, if any, for the issuance of fully registered bonds; the provisions, if any, for the registration as to principal of any coupon bonds; and the provisions, if any, for the conversion and reconversion into coupon bonds of any fully registered bonds or coupon bonds registered as to principal; the place or places for the payment of principal and interest of said bonds; and the date of said bonds issued at any particular time, and the right of redemption of said bonds by the City prior to maturity; and

(c) The time, place, manner and medium of advertisement of the readiness of the Board of Finance, acting for and on behalf of the Mayor and City Council of Baltimore, to receive bids for the purchase of the bonds authorized to be issued hereunder, or any part thereof; the form, terms and conditions of such bids; the time, place and manner of awarding bonds so bid for, including the right whenever any of the bonds authorized by this Ordinance are offered for sale and sold at the same time as other bonds of said City, to establish the conditions for bids and awards and to award all of said bonds on an all or none basis; and the time, place, terms and manner of settlement for the bonds so bid for.

SEC. 4. AND BE IT FURTHER ORDAINED, That:

(a) All premiums resulting from the sale of any of the bonds issued and sold pursuant to the provisions of this

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Ordinance shall be applied first to defray the cost of issuance thereof and the balance, if any, shall be applied to the payment of interest on any of said bonds becoming due and payable during the fiscal year in which said bonds are issued and sold or during the next succeeding fiscal year.

(b) The debt authorized by the provisions of this Ordinance, and the bonds issued and sold pursuant thereto and their transfer, and the principal and interest payable thereon (including any profit made in the sale thereof), shall be and remain exempt from any and all State, county and municipal taxation in the State of Maryland.

(c) All bonds issued and sold pursuant to the provisions of this Ordinance shall be sold at public sale to the highest responsible bidder or bidders therefor after due notice of such sale, but the Mayor and City Council of Baltimore, acting by and through the Board of Finance thereof, shall have the right to reject any or all bids therefor for any reason, and thereafter reoffered such bonds at public sale as aforesaid or at private sale, provided that if such bonds be offered at private sale they shall be offered for sale and sold for not less than par and accrued interest.

SEC. 5. AND BE IT FURTHER ORDAINED, That until all of the interest on and principal of any bonds issued pursuant to the provisions of this Ordinance have been paid in full, the Mayor and City Council of Baltimore shall levy and impose an annual tax on each One Hundred Dollars (\$100.00) of assessable property in the City of Baltimore at a rate sufficient to produce revenue to pay all interest on and principal of all bonds theretofore issued and outstanding or authorized to be issued and outstanding, payable in the next succeeding year.

SEC. 6. AND BE IT FURTHER ORDAINED, That this Ordinance shall be submitted to the legal voters of the City of Baltimore, for their approval or disapproval, at the General Election to be held in Baltimore City, on Tuesday, the 8th day of November, 1988.

SEC. 7. AND BE IT FURTHER ORDAINED, That prior to the date of the election hereinbefore mentioned, notice shall be given to the public of the amount of money which the Mayor and City Council of Baltimore is authorized to borrow, and the general purposes for which such borrowed funds may be expended, under the terms and provisions of this Ordinance, and the time when the election hereinbefore mentioned is to be held; and such public notice shall be given in such manner and by such means or through such media and at such time or times as may be determined, from time to time, by a majority of the Board of Finance.

SEC. 8. AND BE IT FURTHER ORDAINED, That the actual cash proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance, not exceeding the par value thereof, shall be used exclusively for the following

purposes, to wit:

(a) So much thereof as may be necessary, in addition to the premium realized from the sale, if any, for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith; and

(b) The remainder of such proceeds shall be used for or in connection with planning, developing, executing and making operative the commercial and industrial Economic Development Program of the Mayor and City Council of Baltimore, including, but not limited to:

(i) The acquisition, by purchase, lease, condemnation, or any other legal means, of land or property, or any right, interest, franchise, easement or privilege therein, in the City of Baltimore;

(ii) The payment of any and all costs and expenses incurred in connection with or incidental to the acquisition and management of said land or property, including any and all rights or interest therein hereinbefore mentioned;

(iii) The payment of any and all costs and expenses incurred for or in connection with relocating and moving persons or other legal entities displaced by the acquisition of said land or property, or any of the rights or interests therein hereinbefore mentioned;

(iv) The development or redevelopment, including, but not limited to, the comprehensive renovation or rehabilitation of any land or property, or any rights or interests therein hereinbefore mentioned, in the City of Baltimore, and the disposition of land and property for such purposes;

(v) The elimination of unhealthful, unsanitary or unsafe conditions, lessening density, eliminating obsolete or other uses detrimental to the public welfare or otherwise removing or preventing the spread of blight or deterioration in the City of Baltimore;

(vi) The demolition, removal, relocation, renovation or alteration of land, buildings, streets, highways, alleys, utilities or services, and other structures or improvements, and for the construction, reconstruction, installation, relocation or repair of buildings, streets, highways, alleys, utilities or services, and other structures or improvements;

(vii) The planning, developing, executing and making operative the enterprise development program of the Mayor and City Council of Baltimore for purposes of making equity investments in, and loans and loan guarantees to, enterprises,

including any individual, partnership, joint venture, carrying on business or proposing to carry on business within the City of Baltimore, to be used for or in connection with the financing, developing, operating and administering of such enterprises.

(viii) The payment of any and all costs and expenses incurred for or in connection with doing any or all of the things herein mentioned, including, but not limited to, the costs and expenses of securing administrative, appraisal, economic analysis, engineering, planning, designing, architectural, surveying and other professional services; and

(ix) Doing any and all things necessary, proper or expedient in connection with or pertaining to any or all of the matters or things hereinbefore mentioned.

All of such land or property shall be acquired, developed, redeveloped, renovated, rehabilitated, altered, improved, held or disposed of, as provided by law.

(c) The use of the proceeds of the sale of the bonds shall be limited to expenditures for capital improvement projects having an estimated service life of not less than fifteen (15) years, and such proceeds shall not be used for current operating expenses of the City.

SEC. 9. AND BE IT FURTHER ORDAINED, That the expenditure of the proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance shall be in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinance of Estimates of the Mayor and City Council of Baltimore.

July 7, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 126

(Council No. 206)

AN ORDINANCE concerning

BOND ISSUE - OFF-STREET PARKING LOAN

FOR purpose of purpose of authorizing the Mayor and City Council of Baltimore (pursuant to Resolution XI of 1988 approved by the members of the General Assembly of Maryland representing Baltimore City), to issue and sell its certificates of indebtedness to an amount not exceeding Seven Million Dollars (\$7,000,000.00), the proceeds derived from the sale of the same to be used for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith,

and the remainder of such proceeds shall be used for the acquisition, by purchase, lease, condemnation or any other legal means, of land or property, or any rights or interests therein, in the City of Baltimore, and for developing, establishing, constructing, erecting, altering, expanding, enlarging, improving and equipping buildings, structures and other facilities on, under or in said land or property, or on, under or in any land or property that is now or hereafter may be owned or otherwise held or controlled by the Mayor and City Council of Baltimore, or on, under or in any land or property owned or otherwise held or controlled by any private, public or quasi-public corporation, partnership, association, person or other legal entity, for storing, parking and servicing self-propelled vehicles, and for the payment of any and all necessary or proper costs and expenses connected with, or incident to doing any and all of the foregoing acts or things; and such proceeds may be used for any or all of the matters or things hereinbefore mentioned in connection with an underground structure or facility for storing, parking and servicing self-propelled vehicles (hereinafter called "parking facility") where another building, structure or facility (hereinafter called "additional structure") is to be or may be established, constructed or erected in whole or in part above, under, in connection with or adjacent to a parking facility, provided that none of such proceeds shall be used for or in connection with the construction or erection of such additional structure, or any part thereof, or for strengthening or adding to a parking facility in any manner necessitated by or in connection with the construction or erection of such additional structure; provided, no petroleum products shall be sold or offered for sale at any entrance to, or exit from, any land so acquired or at any entrance to, or exit from, any structure erected thereon, when any entrance to, or exit from, any such land or structure faces a street or highway which is more than 25 feet wide from curb to curb; limiting the use of the proceeds of the sale of the bonds to expenditures for capital improvement projects having an estimated service life of not less than fifteen (15) years, and providing that such proceeds shall not be used for current operating expenses of the City or other legal entity; conferring certain power and authority upon the Off-Street Parking Commission of Baltimore City; providing certain conditions which must be complied with before the proceeds of the said certificates of indebtedness may be expended; conferring and imposing upon the Board of Finance certain powers and duties; authorizing the submission of this Ordinance to the legal votes of the City of Baltimore, for their approval or disapproval, at the General Election to be held in Baltimore City on Tuesday, the 8th day of November, 1988; providing that the financial loans made, guaranteed or insured shall be self-supporting, and providing for the expenditure of the proceeds of sale of said certificates of indebtedness in accordance with the provisions of the Charter of the Mayor

and City ~~council~~ Council of Baltimore, and by the municipal agency designated in the annual Ordinance of Estimates of the ~~mayer~~ Mayor and City Council of Baltimore.

WHEREAS, By Resolution XI of 1988 approved by the members of the General Assembly of Maryland representing Baltimore City, the Mayor and City Council of Baltimore is authorized to create a debt and to issue and sell its certificates of indebtedness (hereinafter called "bonds") as evidence thereof, to an amount not exceeding Seven Million Dollars (\$7,000,000.00) in the manner and upon the terms set forth in said Act, the proceeds thereof, not exceeding the par value of said certificates of indebtedness, to be used for the establishment of facilities for storing, parking, and servicing self-propelled vehicles, as authorized by said Act; and

WHEREAS, Funds are now needed for said purposes; therefore,

SEC. 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Mayor and City Council of Baltimore, acting by and through the Board of Finance of said municipality, be and it is hereby authorized and empowered to issue bonds of the Mayor and City Council of Baltimore to an amount not exceeding Seven Million Dollars (\$7,000,000.00), from time to time, as the same may be needed or required for the purposes hereinafter named and said bonds shall be sold by said Board of Finance from time to time and at such times as shall be requisite, and the proceeds derived from the sale of said bonds shall be used for the purposes hereinafter named, provided that this Ordinance shall not become effective unless it shall be approved by a majority of the votes of the legal voters of Baltimore City cast at the time and place hereinafter designated by this Ordinance.

SEC. 2. AND BE IT FURTHER ORDAINED, That:

(a) Said bonds shall be issued in denomination so not less than One Thousand Dollars (\$1,000.00) each, but may be in sums of One Thousand Dollars (\$1,000.00), or any suitable multiple thereof.

(b) Said bonds, or any part thereof, shall be issued in accordance with a serial maturity plan so worked out as to discharge the entire principal amount represented thereby within not more than forty (40) years from the date of their issuance; provided, however, that it shall not be necessary to provide for the maturity of any part of the principal amount represented by any of said bonds for the first five (5) years from the date of their issuance.

(c) Said bonds, when issued, shall bear interest at such rate or rates as may be determined by a majority of the Board of Finance by resolution at such time or times when any of said bonds are issued, and such interest shall be payable semi-annually.

SEC. 3. AND BE IT FURTHER ORDAINED, That a majority of the Board of Finance of the Mayor and City Council of Baltimore be, and they are hereby, authorized to pass a resolution or resolutions, from time to time, to determine and set forth any or all of the following:

(a) The amount of debt to be incurred by the Mayor and City Council of Baltimore at any particular time, and from time to time, under and pursuant to the provisions of this Ordinance; the date or dates when any bonds representing said debt, or any part thereof, are to mature, and the amount or amounts of said debt, or any part thereof, which shall mature upon the aforesaid date or dates; and the semi-annual dates in each year, during the entire period of time when any of said bonds are outstanding, when interest on any of said bonds shall be payable.

(b) The form or forms of the bonds representing the debt, or any part thereof, authorized to be issued under the provisions of this Ordinance at any particular time, including any interest coupons to be attached thereto; the provisions, if any, for the issuance of couponbonds; the provisions, if any, for the issuance of fully registered bonds; the provisions, if any, for the registration as to principal of any coupon bonds; and the provisions, if any, for the conversion and reconversion into coupon bonds of any fully registered bonds or coupon bonds registered as to principal; the place or places for the payment of principal and interest of said bonds; and the date of said bonds issued at any particular time, and the right of redemption of said bonds by the City prior to maturity; and

(c) The time, place, manner and medium of advertisement of the readiness of the Board of Finance, acting for and on behalf of the Mayor and City Council of Baltimore, to receive bids for the purchase of the bonds authorized to be issued hereunder, or any part thereof; the form, terms and conditions of such bids; the time, place and manner of awarding bonds so bid for, including the right whenever any of the bonds authorized by this Ordinance are offered for sale and sold at the same time as other bonds of said City, to establish the conditions for bids and awards and to award all of said bonds on an all or none basis; and the time, place, terms and manner of settlement for the bonds so bid for.

SEC. 4. AND BE IT FURTHER ORDAINED, That:

(a) All premiums resulting from the sale of any of the bonds issued and sold pursuant to the provisions of this Ordinance shall be applied first to defray the cost of issuance thereof and the balance, if any, shall be applied to the payment of interest on any of said bonds becoming due and payable during the fiscal year in which said bonds are issued and sold or during the next succeeding fiscal year.

(b) The debt authorized by the provisions of this Ordinance, and the bonds issued and sold pursuant thereto and

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their transfer, and the principal and interest payable thereon (including any profit made in the sale thereof), shall be and remain exempt from any and all State, county and municipal taxation in the State of Maryland.

(c) All bonds issued and sold pursuant to the provisions of this Ordinance shall be sold at public sale to the highest responsible bidder or bidders therefor after due notice of such sale, but the Mayor and City Council of Baltimore, acting by and through the Board of Finance thereof, shall have the right to reject any and all bids therefor for any reason, and thereafter reoffer such bonds at public sale as aforesaid or at private sale, provided that if such bonds be offered at private sale, provided that if such bonds be offered at private sale; they shall be offered for sale and sold for not less than par and accrued interest.

SEC. 5. AND BE IT FURTHER ORDAINED, That until all of the interest on ~~the~~ and principal of any bonds issued pursuant to the provisions of this Ordinance have been paid in fully, the Mayor and City Council of Baltimore shall levy and impose an annual tax on each One Hundred Dollars (\$100.00) of assessable property in the City of Baltimore at a rate sufficient to produce revenue to pay all interest on and principal of all bonds theretofore issued and outstanding or authorized to be issued and outstanding, payable in the next succeeding year.

SEC. 6. AND BE IT FURTHER ORDAINED, That this Ordinance shall be submitted to the legal voters of the City of Baltimore, for their approval or disapproval, at the General Election to be held in Baltimore City, on Tuesday, the 8th day of November, 1988.

SEC. 7. AND BE IT FURTHER ORDAINED, That prior to the date of the election hereinbefore mentioned, notice shall be given to the public of the amount of money which the Mayor and City Council of Baltimore is authorized to borrow, and the general purposes for which such borrowed funds may be expended, under the terms and provisions of this Ordinance, and the time when the election hereinbefore mentioned is to be held; and such public notice shall be given in such manner and by such means or through such media and at such time or times as may be determined, from time to time, by a majority of the Board of Finance.

SEC. 8. AND BE IT FURTHER ORDAINED, That the actual cash proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance, not exceeding the par value thereof, shall be used exclusively for the following purposes, to wit:

(a) So much thereof as may be necessary, in addition to the premium realized from the sale, if any, for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses

connected therewith; and

(b) The remainder of such proceeds shall be used for the acquisition, by purchase, lease, condemnation, or any other legal means, of land or property, or any rights or interests therein, in the City of Baltimore, and for developing, establishing, constructing, erecting, altering, expanding, enlarging, improving and equipping buildings, structures and other facilities on, under or in said land or property that is now or hereafter may be owned or otherwise held or controlled by the Mayor and City Council of Baltimore, or on, under or in any land or property owned or otherwise held or controlled by any private, public or quasi-public corporation, partnership, association, person or other legal entity, for storing, parking and servicing self-propelled vehicles, and for the payment of any and all necessary or proper costs and expenses connected with, or incident to doing any or all of the foregoing acts or things; and such proceeds may be used for any or all of the matters of things hereinbefore mentioned in connection with an underground structure or facility for storing, parking and servicing self-propelled vehicles (hereinafter called "parking facility") where another building, structure, or facility (hereinafter called "additional structure") is to be or may be established, constructed or erected in whole or in part above, under, in connection with or adjacent to a parking facility, provided that none of such proceeds shall be used for or in connection with the construction or erection of such additional structure, or any part thereof, or for strengthening or adding to a parking facility in any manner necessitated by or in connection with the construction or erection of such additional structure; provided, no petroleum products shall be sold or offered for sale at any entrance to, or exit from, any land so acquired or at any entrance to, or exit from, any structure erected thereon, when any entrance to, or exit from, any such land or structure faces a street or highway which is more than 25 feet wide from curb to curb.

(c) The use of the proceeds of the sale of the bonds shall be limited to expenditures for capital improvement projects having an estimated service life of not less than fifteen (15) years, and such proceeds shall not be used for current operating expenses of the City or other legal entity.

SEC. 9. AND BE IT FURTHER ORDAINED, That no part of the proceeds of sale of the bonds hereby authorized to be issued shall be expended until after the Board of Finance has determined, based upon such data as said Board of Finance shall require to be submitted to it to enable it to make such determination, that any financial loans made, guaranteed or insured from such proceeds, shall, in fact, be self-supporting.

SEC. 10. AND BE IT FURTHER ORDAINED, That:

(a) No part of the proceeds of sale of the bonds hereby authorized to be issued shall be expended until after the Off-

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Street Parking Commission of Baltimore City has submitted its written recommendation, which shall set forth the purposes for, and the terms and conditions upon which each particular sum of money is to be expended, to the Board of Estimates of the Mayor and City Council of Baltimore and such recommendation has been approved by said Board of Estimates.

(b) In addition, no part of the proceeds of sale of the bonds hereby authorized to be issued shall be expended for actually constructing, erecting, altering, expanding, enlarging, improving or equipping any building, structure or facility on, under or in any land or property, owned or otherwise held or controlled by any private, public or quasi-public corporation, partnership, association, person or other legal entity, for storing, parking and servicing self-propelled vehicles (as distinguished from funds which are necessary to be expended in connection with the acquisition of land or property or the preparation of plans or other matters or things which are usually and generally preliminary to the commencement of actual construction work) until after the municipal corporation, with the approval of its Board of Estimates, shall have entered into a binding contract with any such private, public or quasi-public corporation, partnership, association, person or other legal entity, secured to the satisfaction of the said Board of Estimates, under the terms of which the Mayor and City Council of Baltimore will be reimbursed for at least all expenditures of money made by it in connection with the particular project involved, and for all interest charges paid or to be paid by the Mayor and City Council of Baltimore on all funds borrowed by it and expended in connection with the particular project involved, and for all estimated real estate taxes that the Mayor and City Council of Baltimore will lose as a result of its acquiring any land or property involved in the particular project. Any such contract, after it has been executed on behalf of the Mayor and City Council of Baltimore by the Mayor of Baltimore City and the corporate seal of the municipality affixed thereto duly attested by the Custodian of the Seal of the municipality and approved by the said Board of Estimates, shall constitute a legal and binding obligation of the Mayor and City Council of Baltimore.

(c) In case any land or property now or hereafter owned by the Mayor and City Council of Baltimore is sold by it to any legal entity for the purpose of establishing and constructing on, under or in said land or property any structure or facility contemplated by the provisions of this Ordinance, then the purchaser of said land or property shall pay to the municipality at least an amount of money equal to the full appraised value of said land or property, and in case any such land or property is leased by the municipality to any legal entity for any of the purposes hereinbefore mentioned, then the lessee shall pay annually to the municipality an amount of money equal to the reasonable rental value of said land or property. In the event any such land or property is sold by the municipality as aforesaid and such land or property is then reconveyed back to the municipality as security for any loan made by the

municipality to the purchaser under the provisions of this Ordinance, then such purchaser shall pay annually to the municipality in lieu of taxes a tax equivalent charge on such land or property on the basis of the then prevailing tax assessment on the land and improvements and calculated at the City and State tax rates then in effect, in accordance with the policy of the Board of Estimates of the municipality. All payments made in lieu of taxes shall be made when real estate taxes of the municipality ordinarily become due and payable.

SEC. 11. AND BE IT FURTHER ORDAINED, That the expenditure of the proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance shall be in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinance of Estimates of the Mayor and City Council of Baltimore.

July 7, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 127

(Council No. 209)

AN ORDINANCE concerning

BOND ISSUE - INDUSTRIAL AND COMMERCIAL FINANCING LOAN

FOR purpose of purpose of authorizing the Mayor and City Council of Baltimore (pursuant to Resolution IX of 1988 approved by the members of the General Assembly of Maryland representing Baltimore City), to issue and sell its certificates of indebtedness to an amount not exceeding Eight Million Dollars (\$8,000,000.00), the proceeds derived from the sale of the same to be used for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith, and the remainder of such proceeds shall be used to make or contract to make financial loans to any person or other legal entity to be used for or in connection with the purchase, acquisition, construction, reconstruction, erection, development, redevelopment, rehabilitation, renovation, modernization or improvement of buildings or structures, including any land necessary therefor, within the boundaries of Baltimore City, which buildings or structures are to be used or occupied for industrial purposes; to guarantee or insure financial loans made by third parties to any person or other legal entity which are to be used for or in connection with the purchase, acquisition, construction, reconstruction, erection, development, redevelopment, rehabilitation, renovation,

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modernization or improvement of buildings or structures, including any land necessary therefor, within the boundaries of Baltimore City, which buildings or structures are to be used or occupied for industrial purposes; to make or contract to make financial loans to any person or other legal entity to be used for or in connection with the purchase or acquisition of leasehold or fee simple interests in buildings or structures, and for construction, reconstruction, erection, development, rehabilitation, renovation, redevelopment or improvement of buildings or structures, located within the boundaries of Baltimore City, which buildings or structures are to be used or occupied for commercial purposes; to guarantee or insure financial loans made by third parties to any person or other legal entity to be used for or in connection with the purchase or acquisition of leasehold or fee simple interests in buildings or structures, and for construction, reconstruction, erection, development, rehabilitation, renovation, redevelopment, or improvement of buildings or structures, located within the boundaries of Baltimore City, which buildings or structures are to be used or occupied for commercial purposes; and for doing an any and all things necessary, proper or expedient in connection with or pertaining to any or all of the matters or things hereinbefore mentioned; conferring and imposing upon the Board of Finance of Baltimore City certain powers and duties; authorizing the submission of this ordinance to the legal voters of the City of Baltimore, for their approval or disapproval, at the General Election to be held in Baltimore City on Tuesday, the 8th day of November, 1988; providing that the financial loans made, guaranteed or insured shall be self-supporting, and providing for the expenditure of the proceeds of sale of said certificates of indebtedness in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the Annual Ordinance of Estimates of the Mayor and City Council of Baltimore.

WHEREAS, By Resolution V of 1988 approved by the Members of the General Assembly of Maryland representing Baltimore City, the Mayor and City Council of Baltimore is authorized to create a debt and to issue and sell its certificates of indebtedness (hereinafter called "bonds") as evidence thereof, to an amount not exceeding Eight Million Dollars (\$8,000,000.00) in the manner and upon the terms set forth in said Resolution, the ~~net-ase proceeds derived from the thereof-sale-of-said-bonds~~; not exceeding the par value of said certificates of indebtedness, to be used for or in connection with making, guaranteeing, or insuring financial loans for purchasing, acquiring, constructing, reconstructing, erecting, developing, redeveloping, rehabilitating, renovating, modernizing or improving industrial and commercial properties in Baltimore City, as authorized by said Resolution; and

WHEREAS, Funds are now needed for said purposes; now; therefore,

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Mayor and City Council of Baltimore, acting by and through the Board of Finance of said municipality, be and it is hereby authorized and empowered to issue bonds of the Mayor and City Council of Baltimore to an amount not exceeding Eight Million Dollars (\$8,000,000.00), from time to time, as the same may be needed or required for the purposes hereinafter named and said bonds shall be sold by said Board of Finance from time to time and at such times as shall be requisite, and the proceeds derived from the sale of said bonds shall be used for the purposes hereinafter named, provided that this Ordinance shall not become effective unless it shall be approved by a majority of the votes of the legal voters of Baltimore City cast at the time and place hereinafter designated by this Ordinance.

SEC. 2. AND BE IT FURTHER ORDAINED, That:

(a) Said bonds shall be issued in denominations of not less than One Thousand Dollars (\$1,000.00) each, but may be in sums of One Thousand Dollars (\$1,000.00), or any suitable multiple thereof.

(b) Said bonds, or any part thereof, shall be issued in accordance with a serial maturity plan so worked out as to discharge the entire principal amount represented thereby within not more than forty (40) years from the date of their issuance; provided, however, that it shall not be necessary to provide for the maturity of any part of the principal amount represented by any of said bonds for the first five (5) years from the date of their issuance.

(c) Said bonds, when issued, shall bear interest at such rate or rates as may be determined by a majority of the Board of Finance by resolution at such time or times when any of said bonds are issued, and such interest shall be payable semi-annually.

SEC. 3. AND BE IT FURTHER ORDAINED, That a majority of the Board of Finance of the Mayor and City Council of Baltimore be, and they are hereby, authorized to pass a resolution or resolutions, from time to time, to determine and set forth any or all of the following:

(a) The amount of debt to be incurred by the Mayor and City Council of Baltimore at any particular time, and from time to time, under and pursuant to the provisions of this Ordinance; the date or dates when any bonds representing said debt, or any part thereof, are to mature, and the amount or amounts of said debt, or any part thereof, which shall mature upon the aforesaid date or dates; and the semi-annual dates in each year, during the entire period of time when any of said bonds are outstanding, when interest on any of said bonds shall be payable.

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(b) The form or forms of the bonds representing the debt, or any part thereof, authorized to be issued under the provisions of this Ordinance at any particular time, including any interest coupons to be attached thereto; the provisions, if any, for the issuance of couponbonds; the provisions, if any, for the issuance of fully registered bonds; the provisions, if any, for the registration as to principal of any coupon bonds; and the provisions, if any, for the conversion and reconversion into coupon bonds of any fully registered bonds or coupon bonds registered as to principal; the place or places for the payment of principal and interest of said bonds; and the date of said bonds issued at any particular time, and the right of redemption of said bonds by the City prior to maturity; and

(c) The time, place, manner and medium of advertisement of the readiness of the Board of Finance, acting for ~~an~~ and on behalf of the Mayor and City Council of Baltimore, to receive bids for the purchase of the bonds authorized to be issued hereunder, or any part thereof; the form, terms and conditions of such bids; the time, place and manner of awarding bonds so bid for, including the right whenever any of the bonds authorized by this Ordinance are offered for sale and sold at the same time as other bonds of said City, to establish the conditions for bids and awards and to award all of said bonds on an all or none basis; and the time, place, terms and manner of settlement for the bonds so bid for.

SEC. 4. AND BE IT FURTHER ORDAINED, That:

(a) All premiums resulting from the sale of any of the bonds issued and sold pursuant to the provisions of this Ordinance shall be applied first to defray the cost of issuance thereof and the balance, if any, shall be applied to the payment of interest on any of said bonds becoming due and payable during the fiscal year in which said bonds are issued and sold or during the next succeeding fiscal year.

(b) The debt authorized by the provisions of this Ordinance, and the bonds issued and sold pursuant thereto and their transfer, and the principal and interest payable thereon (including any profit made in the sale thereof), shall be and remain exempt from any and all State, county and municipal taxation in the State of Maryland.

(c) All bonds issued and sold pursuant to the provisions of this Ordinance shall be sold at public sale to the highest responsible bidder or bidders therefor after due notice of such sale, but the Mayor and City Council of Baltimore, acting by and through the Board of ~~Finance~~ Finance thereof, shall have the right to reject any ~~and~~ or all bids therefor for any reason, and thereafter reoffer such bonds at public sale as aforesaid or at private sale, ~~provided that if such bonds be offered at private sale they shall be offered for sale and sold for not less than par and accrued interest.~~

AL COLLEGE PARK LIBRARIES

SEC. 5. AND BE IT FURTHER ORDAINED, That until all of the interest on the principal of any bonds issued pursuant to the provisions of this Ordinance have been paid in fully, the Mayor and City Council of Baltimore shall levy and impose an annual tax on each One Hundred Dollars (\$100.00) of assessable property in the City of Baltimore at a rate sufficient to produce revenue to pay all interest on and principal of all bonds theretofore issued and outstanding or authorized to be issued and outstanding, payable in the next succeeding year.

SEC. 6. AND BE IT FURTHER ORDAINED, That this Ordinance shall be submitted to the legal voters of the City of Baltimore, for their approval or disapproval, at the General Election to be held in Baltimore City, on Tuesday, the 8th day of November, 1988.

SEC. 7. AND BE IT FURTHER ORDAINED, That prior to the date of the election hereinbefore mentioned, notice shall be given to the public of the amount of money which the Mayor and City Council of Baltimore is authorized to borrow, and the general purposes for which such borrowed funds may be expended, under the terms and provisions of this Ordinance, and the time when the election hereinbefore mentioned is to be held; and such public notice shall be given in such manner and by such means or through such media and at such time or times as may be determined, from time to time, by a majority of the Board of Finance.

SEC. 8. AND BE IT FURTHER ORDAINED, That the actual cash proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance, not exceeding the par value thereof, shall be used exclusively for the following purposes, to wit:

(a) So much thereof as may be necessary, in addition to the premium realized from the sale, if any, for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith; and

(b) The remainder of such proceeds shall be used to make or contract to make financial loans to any person or other legal entity to be used for or in connection with the purchase, acquisition, construction, reconstruction, erection, development, redevelopment, rehabilitation, renovation, modernization or improvement of buildings or structures, including any land necessary therefor, within the boundaries of Baltimore City, which buildings or structures are to be used or occupied for industrial purposes; to guarantee or insure financial loans made by third parties to any person or other legal entity which are to be used for or in connection with the purchase, acquisition, construction, reconstruction, erection, development, redevelopment, rehabilitation, renovation, modernization or improvement of buildings or structures, including any land necessary therefor, within the boundaries of Baltimore City, which buildings or structures are to be used or occupied for

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industrial purposes; to make or contract to make financial loans to any person or other legal entity to be used for or in connection with the purchase or acquisition of leasehold or fee simple interests in buildings or structures, and for construction, reconstruction, erection, development, rehabilitation, renovation, redevelopment or improvement of buildings or structures, located within the boundaries of Baltimore City, which buildings or structures are to be used or occupied for commercial purposes; to guarantee or insure financial loans made by third parties to any person or other legal entity to be used for or in connection with the purchase or acquisition of leasehold or fee simple interests in buildings or structures, and for construction, reconstruction, erection, development, rehabilitation, renovation, redevelopment, or improvement of buildings or structures, located within the boundaries of Baltimore City, which buildings or structures are to be used or occupied for commercial purposes; and for doing any and all things necessary, proper or expedient in connection with or pertaining to any or all of the matters or things hereinbefore mentioned;

SEC. 9. AND BE IT FURTHER ORDAINED, That no part of the proceeds of sale of the bonds hereby authorized to be issued shall be expended unit after the Board of Finance has determined, based upon such data as said Board of Finance shall require to be submitted to it to enable it to make such determination, that any financial loans made, guaranteed or insured from such proceeds, shall, in fact, be self-supporting.

SEC. 10. AND BE IT FURTHER ORDAINED, That the expenditure of the proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance shall be in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinance of Estimates of the Mayor and City Council of Baltimore.

July 7, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 128

(Council No. 259)

AN ORDINANCE concerning

URBAN RENEWAL - MUNICIPAL CENTER- AMENDMENT NO. 6

FOR the purpose of amending the Municipal Center Area Urban Renewal Plan to 1) revise the controls for Development Area 3 to accommodate possible future development; 2) designate new Development Areas 11A, 11B and 11C and Development Areas 12A and 12B and to provide standards and controls for said Development Areas; 3) delete Exhibits A, B, C, and E from

the Plan and insert in lieu thereof new Exhibits A, B, C, and E as amended through May 2, 1988; 4) waive such requirements, if any, as to content or procedure for the preparation, adoption and approval of urban renewal plans as set forth in Article 13 of the Baltimore City Code (1983 Replacement Volume of the 1976 Edition, as amended,) which the Urban Renewal Plan for Municipal Center Area may not meet; 5) provide for the separability of the various parts and application of this Ordinance; 6) provide that where this Ordinance conflicts with any other Ordinance, Code or Regulation in force in the City of Baltimore, the provision which establishes the higher standard shall prevail; and 7) provide for an effective date hereof.

By Authority of

Article 13

Baltimore City Code (1983 Replacement Volume of the 1976 Edition, as amended)

WHEREAS, An Urban Renewal Plan for the Municipal Center Area was originally approved by Ordinance No. 219 approved March 8, 1977, and amended by Ordinance No. 839, approved July 19, 1978, Ordinance No. 736 approved June 29, 1982, Ordinance No. 1018, approved July 6, 1983, Ordinance No. 218, approved November 21, 1984 and Ordinance No. 631 approved March 17, 1986, and

WHEREAS, pursuant to Article 13 of the Baltimore City Code (1983 Replacement Volume of the 1976 Edition, as amended), no substantial change or changes shall be made in any renewal plan, after approval by ordinance, without such change or changes first being adopted and approved in the same manner as set forth in said Article 13 for the approval of an urban renewal plan, namely the preparation of such change or changes by the Department of Housing and Community Development, the approval of such change or changes by the Director of the Department of Planning, and approval and adoption by an ordinance of the Mayor and City Council of Baltimore after a public hearing in relation thereto, all in the manner set forth in said Article 13; and

WHEREAS, Said Amendment No. 6 to the Urban Renewal Plan for the Municipal Center Area has been approved by the Director of the Department of Planning with respect to its conformity as to the Master Plan, the detailed location of any public improvements proposed in the amended Urban Renewal Plan, its conformity to the rules and regulations for subdivision, and its conformity to existing zoning districts; and said amended Urban Renewal Plan has been approved and recommended to the Mayor and City Council of Baltimore by the Commissioner of the Department of Housing and Community Development; now, therefore,

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the amended Urban Renewal Plan for the Municipal Center Area (hereinafter referred to as "the Amended Plan"), and set forth in Section 2 hereby having been duly reviewed and considered are hereby approved and the Clerk of the City Council is hereby directed to file a copy of said Amended Urban Renewal

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Plan with the Department of Legislative Reference as a permanent public record and to make the same available for public inspection and information.

SEC. 2. AND BE IT FURTHER ORDAINED, That the amendments and changes having been reviewed and considered as part of the aforesaid complete Amended Urban Renewal Plan, are fully set forth, as follows:

1) On Page 14 of the Plan in Section F "Development Area Controls," delete the Controls for Development Area 3 and in lieu thereof insert the following:

"Development Area 3

a. General Use: Commercial

b. Development Objectives: It is the intent of the Urban Renewal Plan that the development of this property include a structure that to the maximum extent possible screens the view of the Expressway from the area of War Memorial Plaza. At grade uses along Lexington and Gay Streets should be retail/commercial with any parking garage elements sited along the Saratoga Street edge of the land.

c. Building Requirements: The building should contain a minimum of 200,000 s. f. of gross floor area above grade.

i. Maximum permitted coverage:

Up to 140 feet above grade - 100%

ii. Maximum Permitted Height: 140 feet above grade level except that no building construction shall be higher than the roof parapet of War Memorial Hall within the area 120 feet east of and 80 feet north of the southwest corner of the property. No parking garage structure shall be permitted above grade level along Lexington and Gay Streets for distances from the southwest corner of the property of 145 feet and 160 feet respectively.

iii. Setbacks: building setbacks shall be compatible with the building setbacks on other blocks fronting War Memorial Plaza.

iv. Parking: all parking shall be enclosed in a structure so as to be shielded from public view.

d. Easement: An easement will be retained by the City along the east side of the property."

2) On Page 17 of the Plan in Section F "Development Area Controls" add after Development Area 10, new Development Areas

11A (Air Rights), 11-B and 11-C (Air Rights) and Development Areas 12A (sub-surface rights) and B (sub-surface rights) as follows:

"Development Areas 11A (Air Rights), B and C (Air Rights)

- a. General Use: Commercial
- b. Development Objectives: Parking garage and office/retail uses as determined by the Commissioner after consolidation with adjacent property. All parking shall be enclosed in the structure so as to be shielded from public view.

Development Areas 12A (Sub-Surface Rights) and 12B (Sub-Surface Rights)

- a. General Use: Commercial
- b. Development Objectives: Office/retail uses, with garage uses as determined by the Commissioner after consolidation with adjoining property. All parking shall be enclosed within the structure so as to be shielded from public view."

3) Delete Exhibits A, B, C, and E and insert in lieu thereof new Exhibits A, B, C, and E as revised through May 2, 1988.

SEC. 3. AND BE IT FURTHER ORDAINED, That in the event it be judicially determined that any word, phrase, clause, sentence, paragraph, section or part in or of this Ordinance, or the application thereof to any person or circumstances is invalid, the remaining provisions and the application of such provisions to other persons or circumstances shall not be affected thereby, the Mayor and City Council hereby declaring that they would have ordained the remaining provisions of this Ordinance without the word, phrase, clause, sentence, paragraph, section or part, or the application thereof so held invalid.

SEC. 4. AND BE IT FURTHER ORDAINED, That in any case where a provision of this Ordinance concerns the same subject matter as an existing provision of any zoning, building, electrical, plumbing, health, fire, or safety ordinance or code or regulation, the applicable provisions concerned shall be construed so as to give effect to each; provided, however, that if such provisions are found to be in irreconcilable conflict, the provision which establishes the higher standard for the promotion of the public health and safety shall prevail. In any case where a provision of this Ordinance is found to be in conflict with an existing provision of any other ordinance or code or regulation in force in the City of Baltimore which establishes a lower standard for the promotion and protection of the public health and safety, the provision of this Ordinance shall prevail, and the other existing provision of such other ordinance or code or regulation is hereby repealed to the extent

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Ord. No. 129

that it may be found in conflict with this Ordinance.

SEC. 13. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect on the date of its enactment.

July 7, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 129

(Council No. 285)

AN ORDINANCE concerning

CITY STREET - OPENING OF RUTLAND AVENUE

FOR the purpose of condemning and opening Rutland Avenue, 70 feet wide, and extending from Monument Street, Northerly 320 feet, more or less, to Madison Street in accordance with a plat thereof numbered 325-A-9H prepared by the Surveys and Records Division and filed in the Office of the Department of Public Works, on the Twenty-fifth (25th) day of May, 1988.

BY authority of

Article I - General Provisions

Section - 4

Article II - General Powers

Sections 2, 34, 35

Baltimore City Charter (1964 Revision, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works be, and it is hereby authorized and directed to condemn and open Rutland Avenue, 70 feet wide, and extending from Monument Street, Northerly 320 feet, more or less, to Madison Street the street hereby directed to be condemned for said opening described as follows:

Beginning for the same at the point formed by the intersection of the north side of Monument Street, 66 feet wide, and the east side of Rutland Avenue, 70 feet wide, and running thence binding on the north side of said Monument Street, Westerly 70 feet, more or less, to intersect the west side of said Rutland Avenue; thence binding on the west side of said Rutland Avenue, Northerly 320 feet, more or less, to intersect the south side of Madison Street, 66 feet wide; thence binding on the south side of said Madison Street, Easterly 70 feet, more or less, to intersect the east side of said Rutland Avenue and thence binding on the east side of said Rutland Avenue, Southerly 320 feet, more or less, to the place of beginning.

The said Rutland Avenue as directed to be condemned being more particularly described and referred to among the Land Records of Baltimore City and delineated and particularly shown on a plat numbered 325-A-9H which was filed in the Office of the Department of Public Works on the Twenty-fifth (25th) day of May, in the year 1988, and is now on file in said Office.

SEC. 2. AND BE IT FURTHER ORDAINED, That the proceedings of said Department of Public Works, with reference to the condemnation and opening of said Rutland Avenue and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1964 Revision) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SEC. 3. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect on the date of its enactment.

July 7, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 130

(Council No. 286)

AN ORDINANCE concerning

CITY STREET - CLOSING OF RUTLAND AVENUE

FOR the purpose of condemning and closing Rutland Avenue, 70 feet wide, and extending from Monument Street, Northerly 320 feet, more or less, to Madison Street in accordance with a plat thereof numbered 325-A-9J prepared by the Surveys and Records Division and filed in the Office of the Department of Public Works, on the Twenty-fifth (25th) day of May, 1988.

BY authority of

Article I - General Provisions

Section - 4

Article II - General Powers

Sections 2, 34, 35

Baltimore City Charter (1964 Revision, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works be, and it is hereby authorized and directed to condemn and close Rutland

Avenue, 70 feet wide, and extending from Monument Street, Northerly 320 feet, more or less, to Madison Street the street hereby directed to be condemned for said closing described as follows:

Beginning for the same at the point formed by the intersection of the north side of Monument Street, 66 feet wide, and the east side of Rutland Avenue, 70 feet wide, and running thence binding on the north side of said Monument Street, Westerly 70 feet, more or less, to intersect the west side of said Rutland Avenue; thence binding on the west side of said Rutland Avenue, Northerly 320 feet, more or less, to intersect the south side of Madison Street, 66 feet wide; thence binding on the south side of said Madison Street, Easterly 70 feet, more or less, to intersect the east side of said Rutland Avenue and thence binding on the east side of said Rutland Avenue, Southerly 320 feet, more or less, to the place of beginning.

The said Rutland Avenue as directed to be condemned being more particularly described and referred to among the Land Records of Baltimore City and delineated and particularly shown on a plat numbered 325-A-9J which was filed in the Office of the Department of Public Works on the Twenty-fifth (25th) day of May, in the year 1988, and is now on file in said Office.

SEC. 2. AND BE IT FURTHER ORDAINED, That after said highway or highways shall have been closed under the provisions of this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, shall be and continue to be the property of the Mayor and City Council of Baltimore, in fee simple, until the use thereof shall be abandoned by the Mayor and City Council of Baltimore, and in the event that any person, firm or corporation shall desire to remove, alter or interfere therewith, such person, firm or corporation shall first obtain permission and permits therefor from the Mayor and City Council of Baltimore, and shall in the application for such permission and permits agree to pay all costs and charges of every kind and nature made necessary by such removal, alteration or interference.

SEC. 3. AND BE IT FURTHER ORDAINED, That no buildings or structures of any kind shall be constructed or erected in said portion of said highway or highways after the same shall have been closed under the provisions of this Ordinance until the subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, over which said buildings or structures are proposed to be constructed or erected shall have been abandoned or shall have been removed and relaid in accordance with the specifications and under the direction of the Director of Public Works of Baltimore City, and at the expense of the person or persons or body corporate desiring to erect such buildings or structures. Railroad tracks shall be taken to be "structures" within the meaning of this section.

SEC. 4. AND BE IT FURTHER ORDAINED, That after said highway or highways shall have been closed under the provisions of this Ordinance, all subsurface structures and appurtenances owned by any person, firm or corporation, other than the Mayor and City Council of Baltimore, shall upon notice from the Director of Public Works of Baltimore City, be promptly removed by and at the expense of the said owners.

SEC. 5. AND BE IT FURTHER ORDAINED, That on and after the closing of said highway or highways, the said Mayor and City Council of Baltimore, acting through its duly authorized representatives, shall, at all times, have access to said property and to all subsurface structures and appurtenances used by it therein, for the purposes of inspection, maintenance, repair, alteration, relocation and/or replacement, of any or all of said structures and appurtenances, and this without permission from or compensation to the owner or owners of said land.

SEC. 6. AND BE IT FURTHER ORDAINED, That the proceedings of said Department of Public Works with reference to the condemnation and closing of said Rutland Avenue and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1964 Revision) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SEC. 7. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect on the date of its enactment.

July 7, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 131

(Council No. 296)

AN ORDINANCE concerning

CITY PROPERTY - SALE

FOR the purpose of authorizing the Mayor and City Council of Baltimore to sell at either public or private sale all of the interest of the Mayor and City Council of Baltimore in and to a certain parcel of land no longer needed for highway or other public use located at Rutland Avenue between East Monument Street and East Madison Street.

BY authority of
Article V - Comptroller
Section 5(b)
Baltimore City Charter (1964 Revision, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Comptroller of Baltimore City be and he is hereby authorized to sell at either public or private sale in accordance with Article V, Section 5(b) of the City Charter (1964 Revision, as amended), all of the interest of the Mayor and City Council of Baltimore in and to a certain parcel of land and improvements situate in Baltimore, Maryland, and described as follows:

Beginning for the same at the point formed by the intersection of the north side of Monument Street, 66 feet wide, and the east side of Rutland Avenue, 70 feet wide, and running thence binding on the north side of said Monument Street, Westerly 70 feet, more or less, to intersect the west side of said Rutland Avenue; thence binding on the west side of said Rutland Avenue, Northerly 320 feet, more or less, to intersect the south side of Madison Street, 66 feet wide; thence binding on the south side of Madison Street, Easterly 70 feet, more or less, to intersect the east side of said Rutland Avenue and thence binding on the east side of said Rutland Avenue, Southerly 320 feet, more or less, to the place of beginning.

Said property being no longer needed for public use.

SEC. 2. AND BE IT FURTHER ORDAINED, That no deed or deeds shall pass in accordance herewith until the same shall have been first approved by the City Solicitor.

SEC. 3. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

July 7, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 132

(Council No. 71)

AN ORDINANCE concerning

REZONING - 4610 HARFORD ROAD

FOR the purpose of changing the zoning for the rear portion of the property known as 4610 Harford Road from the R-4 Zoning District to the B-3-2 Zoning District, as outlined in red on the plats accompanying this ordinance.

BY amending Zoning District Maps

Sheet No. 18

Article 30-Zoning

Baltimore City Code (1983 Replacement Volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sheet No. 18 of the Zoning District Maps of Article 30-Zoning of the Baltimore City Code (1983 Replacement Volume, as amended) title "Zoning" be and it is hereby amended by changing from the R-4 Zoning District to the B-3-2 Zoning District, the rear portion of the property known as 4610 Harford Road, as outlined in red on the plat accompanying this ordinance.

SEC. 2. AND BE IT FURTHER ORDAINED, That upon passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof and in order to give notice to the departments which are administering the Zoning Ordinance, the President of the City Council shall sign the plat and when the Mayor approves the ordinance, he shall sign the plat. The Director of Finance shall then transmit a copy of the ordinance and one of the plats to the following: the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of the Department of Housing and Community Development, the Supervisor of Assessments for Baltimore City and the Zoning Administrator.

SEC. 3. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th day after the date of its enactment.

July 6, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 133

(Council No. 94)

AN ORDINANCE concerning

CITY PROPERTY - SALE

FOR the purpose of authorizing the Mayor and City Council of Baltimore to sell at either public or private sale all of the interest of the Mayor and City Council of Baltimore in and to a certain parcel of land and improvements located at 2507-2511 Georgetown Road, Baltimore, Maryland, said parcel of land and improvements being no longer needed for public use.

BY authority of

Article V - Comptroller

Section 5(b)

Baltimore City Charter (1964 Revision, as amended)

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SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Comptroller of Baltimore City be and he is hereby authorized to sell at either public or private sale in accordance with Article V, Section 5(b) of the City Charter (1964 Revision, as amended), all of the interest of the Mayor and City Council of Baltimore in and to a certain parcel of land and improvements situate in Baltimore, Maryland, and described as follows:

2507-2511 Georgetown Road, Block 7796, Lot 001,
containing 15,359.84 square feet of land, more or less

said property being no longer needed for public use.

SEC. 2. AND BE IT FURTHER ORDAINED, That no deed or deeds shall pass in accordance herewith until the same shall have been first approved by the City Solicitor.

SEC. 3. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

July 6, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 134

(Council No. 99)

AN ORDINANCE concerning

REZONING - 2000-2024 ALICEANNA STREET

FOR the purpose of changing the zoning for the properties known as 2000-2024 Aliceanna Street from the M-3 Zoning District to the B-1-3 Zoning District, as outlined in red on the plats accompanying this ordinance.

BY amending Zoning District Maps

Sheet No. 57

Article 30-Zoning

Baltimore City Code (1983 Replacement Volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sheet No. 57 of the Zoning District Maps of Article 30 of the Baltimore City Code (1983 Replacement Volume, as amended) title "Zoning" be and it is hereby amended by changing the zoning for the properties known as 2000-2024 Aliceanna Street from the M-3 Zoning District to the B-1-3 Zoning District, as outlined in red on the plats accompanying this ordinance.

SEC. 2. AND BE IT FURTHER ORDAINED, That upon passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof and in order to give notice to the departments which are administering the Zoning

Ordinance, the President of the City Council shall sign the plat and when the Mayor approves the ordinance, he shall sign the plat. The Director of Finance shall then transmit a copy of the ordinance and one of the plats to the following: the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of the Department of Housing and Community Development, the Supervisor of Assessments for Baltimore City and the Zoning Administrator.

SEC. 3. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th day after the date of its enactment.

July 6, 1988

Kurt L. Schmoke, Mayor

ORDINANCE NO. 135

(Council No. 106)

AN ORDINANCE concerning

ZONING - PLANNED UNIT DEVELOPMENT
HERITAGE BEECHTREE PLACE AT MOUNT WASHINGTON

FOR the purpose of approving the application of Chase-Van Dyke Joint Venture to have the property located southeast of Cross Country Boulevard, and north west of Crest Road, as shown on the plat accompanying this ordinance, designated a Residential Planned Unity Development in accordance with Sections 12.0-1 and 12.0-2 of Article 30 of the Baltimore City Code (1983 Replacement Volume, as amended) and to approve the development plan submitted by Chase-Van Dyke Joint Venture.

WHEREAS, Chase-Van Dyke Joint Venture has met with the Director of Planning, the designated officer of the Planning Commission of Baltimore City, to hold a Pre-Petition Conference to explain the scope and nature of the proposed development on the property in order to institute proceedings to have said property designated a Residential Planned Unit Development; and

WHEREAS, Together herewith, Chase-Van Dyke Joint Venture makes formal application to the City Council of Baltimore City; and

WHEREAS, Chase-Van Dyke Joint Venture has made formal application to the City Council and submitted the requisite Development-Summary,-Elevations-of-Downhill-Units,-Sheet-No.-3,-Elevations-of-Uphill-Units,-Sheet-No.-4,-and-Elevations-for-Cross-grade-Conditions,-Sheet-No.-6,-Planned Unit Development dated April 14, 1988, to satisfy the requirements specified by Sections 12.0-1 and 12.0-2 of Article 30 of the Baltimore City Code (1983 Replacement Volume, as amended); now, therefore,

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SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the application of Chase-Van Dyke Joint Venture to designate the property located southeast of Cross Country Boulevard and northwest of Crest Road, as shown on the plat accompanying this ordinance, as a Residential Planned Unit Development pursuant to Article 30, Sections 12.0-1 and 12.0-2 of the Baltimore City Code (1983 Replacement Volume, as amended), be and it is hereby approved.

SEC. 2. AND BE IT FURTHER ORDAINED, That the development plan submitted by Chase-Van Dyke Joint Venture be and is hereby approved by the City Council of Baltimore and is hereby made a part hereof.

SEC. 3. AND BE IT FURTHER ORDAINED, That subsequent to the passage of this ordinance by the City Council, all changes in the approved development plan for the development of the property shall be reviewed and approved by the Planning Commission for insurance of such changes consistent with this ordinance.

SEC. 4. AND BE IT FURTHER ORDAINED, That upon passage of this ordinance by the City Council, as evidence of the authenticity of the Development Plan which is a part hereof and in order to give notice to the departments which are administering the Zoning Ordinance, the President of the City Council shall sign the Development Plan, and when the Mayor approves the ordinance, he shall sign the Development Plan. The Director of Finance shall then transmit a copy of the ordinance and the Development Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the Supervisor of Assessments for Baltimore City and the Zoning Administration.

SEC. 5. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th day after the date of its enactment.

July 6, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 136

(Council No. 115)

AN ORDINANCE concerning

TRUCK-PARKING COMMERCIAL VEHICLE PARKING RESTRICTIONS

FOR the purpose of ~~limiting-the-day-and-night-parking-of-trucks and-exempting-certain-trucks-~~ imposing certain parking restrictions on commercial vehicles, re-defining commercial vehicles, and providing penalties.

BY repealing and reordaining with amendments

Article 31-Transit and Traffic

Adding a new subtitle before Section 60 - Parking

Continuously, a new subtitle before Section 83 -

Commercial Vehicle Parking Restrictions, and a new

subtitle after Section 83 - Truck Use of Certain

Streets

Sections 28(6), 28(46), 60 and, 83, 152(p), 152(p-1),
152(p-2)

Baltimore City Code (1983 Replacement Volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Section(s) of the Baltimore City Code (1983 Replacement Volume, as amended) be added, repealed, or amended to read as follows:

ARTICLE 31-TRANSIT AND TRAFFIC

DEFINITIONS

28. Definitions listed.

(6) COMMERCIAL VEHICLE. Commercial vehicle means every vehicle-designed,-maintained,-and-used-primarily-for-the transportation-AND/OR-HAULING-of-property,-INCLUDING-BUT-NOT LIMITED-TO-EQUIPMENT,-MERCHANDISE,-PARCELS,-EARTH,-TRASH,-REFUSE, SERAP,-MOTOR-VEHICLES-AND/OR-CARRYING-10-OR-MORE-PASSENGERS,AND/OR HAS-COMMERCIAL-ADVERTISING-ON-THE-EXTERIOR-OF-THE-TRUCK-BODY-OR ON-EQUIPMENT-ATTACHED-THERE-TO-:

A. EVERY VEHICLE DESIGNED, MAINTAINED AND USED PRIMARILY FOR THE TRANSPORTATION AND/OR HAULING OF PROPERTY, INCLUDING BUT NOT LIMITED TO EQUIPMENT, MERCHANDISE, PARCELS, EARTH, TRASH, REFUSE, SCRAP, OR MOTOR VEHICLES, OR

B. EVERY VEHICLE, EXCEPT A PASSENGER CAR, WHICH HAS COMMERCIAL ADVERTISING ON THE EXTERIOR OF THE BODY OR ON EQUIPMENT ATTACHED THERETO, OR

C. EVERY VEHICLE HAVING A MAXIMUM GROSS VEHICLE WEIGHT OF 7000 POUNDS OR MORE OR A MANUFACTURER'S RATED CAPACITY OF 3/4 TON OR MORE, OR

D. EVERY VEHICLE THAT IS DESIGNED TO CARRY MORE THAN 10 PASSENGERS AND IS USED TO CARRY PEOPLE.

(46)-TRUCK-.-Truck-means-any-commercial-vehicle-UNLESS-IT-IS OTHERWISE-DEFINED-WITHIN-THIS-ARTICLE-

[NIGHT PARKING] PARKING CONTINUOUSLY

60. Restrictions.

[The following regulations shall govern the parking of self-

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propelled vehicles on any street, lane or alley of the City between the hours of 1:00 a.m. and 7:00 a.m., on any day. During such hours:

1. Parking by any motor truck or commercial vehicle for more than four hours shall be prohibited on any street, lane or alley of the City.

2.] No vehicle shall be permitted to stand more than 18 hours continuously in the same location. Provided, however, that nothing herein contained shall be applicable to vehicles of the Police Department or the Fire Department, or to any emergency vehicle belonging to the City or to any public utility, or to vehicles belonging to physicians or undertakers, and provided further, that nothing herein contained shall be construed to modify in any way the restrictions or provisions of any ordinance or regulation as to parking of vehicles on any boulevard or through street, but such restrictions and provisions shall continue in effect as if this section had not been passed.

[TRUCKS

83. Standing near residence.

No commercial truck shall be permitted to stand longer than one hour continuously in front of any property used or intended to be used exclusively as a residence; provided, however, that the provisions of this section shall not apply to commercial trucks which are parked for the purpose of doing any public or private work for or on behalf of any person, firm, association, institution or corporation within a radius of one block from such property used or intended to be used exclusively as a residence.]

TRUCK-PARKING

COMMERCIAL VEHICLE PARKING RESTRICTIONS

83. RESTRICTIONS.

1. NO TRUCK COMMERCIAL VEHICLE OR VEHICLE EXCEEDING 20,000 POUNDS GROSS VEHICLE WEIGHT SHALL BE PERMITTED TO STAND OR PARK LONGER THAN ONE HOUR CONTINUOUSLY ON ANY STREET, LANE OR ALLEY IN FRONT OF OR ADJACENT TO ANY PROPERTY USED OR INTENDED TO BE USED AS A RESIDENCE; PROVIDED, HOWEVER, THAT THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO TRUCKS WHICH ARE PARKED FOR THE PURPOSE OF DOING ANY PUBLIC OR PRIVATE WORK FOR OR ON BEHALF OF ANY PERSON, FIRM, ASSOCIATION, INSTITUTION OR CORPORATION LOCATED IN-THE-ABUTTING-BLOCK-FACE WITHIN A RADIUS OF ONE BLOCK FROM SUCH PROPERTY USED OR INTENDED TO BE USED AS A RESIDENCE.

2. NO TRUCK COMMERCIAL VEHICLE OR VEHICLE EXCEEDING 20,000 POUNDS GROSS VEHICLE WEIGHT SHALL BE PERMITTED TO STAND OR PARK LONGER THAN ONE HOUR CONTINUOUSLY BETWEEN THE HOURS OF 1 A.M. AND 7 A.M. ON ANY STREET, LANE OR ALLEY OF THE CITY. PROVIDED, HOWEVER, THAT THE PROVISIONS OF THIS SUBTITLE SHALL NOT APPLY TO

VEHICLES OF THE POLICE DEPARTMENT OR THE FIRE DEPARTMENT OR TO ANY EMERGENCY VEHICLES BELONGING TO THE CITY OR TO ANY PUBLIC UTILITY.

3. FOR THE PURPOSES OF THIS SECTION, "TRUCK" COMMERCIAL VEHICLE DOES NOT INCLUDE A VEHICLE THAT:

- A. IS UNDER 10,000 POUNDS GROSS WEIGHT HAS A MAXIMUM GROSS VEHICLE WEIGHT OF LESS THAN 7,000 POUNDS OR HAS A MANUFACTURER'S RATED CAPACITY OF 3/4 TON; AND
- B. HAS NO COMMERCIAL ADVERTISING ON THE EXTERIOR OF THE TRUCK BODY; OR ON ANY EQUIPMENT OR COMPARTMENTS OR APPARATUS ATTACHED THERETO; AND
- C. IS NOT VISIBLY LOADED WITH SUPPLIES AND/OR EQUIPMENT; AND
- D. IS DESIGNED TO CARRY 10 OR FEWER PASSENGERS.

TRUCK USE OF CERTAIN STREETS

Parking and Stopping Fines, Penalties and Procedures

152. Parking and stopping fines.

Within the limits of the City of Baltimore the following parking and stopping fines are imposed in addition to the costs stipulated in the Annotated Code of Maryland:

(p) Parking a commercial vehicle [under 20,000 pounds gross vehicle weight] in front of or beside a residence for more than one hour unless the operator is performing work within one block, \$25.00.

(p-1) Parking a commercial vehicle [exceeding 20,000 pounds gross vehicle weight in front of or beside a residence for more than one hour unless the operator is performing work within one block, \$75.00.] LONGER THAN ONE HOUR CONTINUOUSLY BETWEEN THE HOURS OF 1 A.M. AND 7 A.M. ON ANY STREET, LANE OR ALLEY, \$25.00.

(p-2) Parking a commercial vehicle exceeding 20,000 pounds gross weight, IN FRONT OF OR BESIDE A RESIDENCE FOR MORE THAN ONE HOUR UNLESS THE OPERATOR IS PERFORMING WORK WITHIN ONE BLOCK, OR LONGER THAN ONE HOUR CONTINUOUSLY BETWEEN THE HOURS OF 1 A.M. AND 7 A.M. ON ANY STREET, LANE OR ALLEY, \$75.00.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th day after the date of its enactment.

July 6, 1988

KURT L. SCHMOKE, Mayor

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ORDINANCE NO. 137

(Council No. 132)

AN ORDINANCE concerning

ZONING - APPROVAL FOR CONDITIONAL USE
PARKING LOT

FOR purpose of granting permission for the establishment, maintenance and operation of an open off-street parking area on the property known as the rear of 4610 Harford Road as outlined in red on the plats accompanying this ordinance, subject to the condition that there shall be screening planting on the north and west sides of the lot.

BY authority of

Article 30 - Zoning

Section(s) 9.0-3d and 11.0-6d

Baltimore City Code (1983 Replacement Volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission is hereby granted for the establishment, maintenance and operation of an open off-street parking area on the property known as the rear of 4610 Harford Road as outlined in red on the plats accompanying this ordinance, under the provisions of Section(s) 9.0-3d and 11.0-6d of Article 30 of the Baltimore City Code (1983 Replacement Volume, as amended), title "Zoning", subject to the condition that there shall be sufficient planting on the north and west sides of the parking lot to screen the lot from the surrounding residential properties.

SEC. 2. AND BE IT FURTHER ORDAINED, That upon passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof and in order to give notice to the departments which are administering the Zoning Ordinance, the President of the City Council shall sign the plat and when the Mayor approves the ordinance, he shall sign the plat. The Director of Finance shall then transmit a copy of the ordinance and one of the plats to the following: the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of the Department of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SEC. 3. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th day after the date of its enactment.

July 6, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 138

(Council No. 138)

AN ORDINANCE concerning

ZONING- AUDITORIUMS AND HALLS

FOR the purpose of removing auditoriums and halls from the list of permitted uses and adding them to the list of conditional uses requiring an ordinance in the B-2 and B-3 Districts.

BY repealing

Article 30-Zoning

Chapter 6 - Business Districts

Sections 6.2-1b-4, 6.2-1b-22, 6.2-1b-50, 6.2-1c-1

Baltimore City Building Code (1983 Replacement Volume, as amended)

By adding

Article 30 - Zoning

Chapter 6 - Business Districts

Sections 6.2-1d-10, 6.2-1d-11, 6.2-1d-12, 6-3-1b-4a

6.3-1d-13, 6-3-1b-19a, 6-3-1b, 39a 6.3-1d-14, 6.3-1d-15, 6.4-1b-24, 6.4-1b-25, 6.4-1b-26

Baltimore City Code (1983 Replacement Volume, as amended)

Section 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Section(s) of the Baltimore City Code (1983 Replacement Volume, as amended) be added, repealed, or amended, to read as follows:

ARTICLE 30-ZONING

Chapter 6-Business Districts

6.2 B-2 Community Business District

b. Permitted uses.

[4. Auditoriums and concert halls, with capacity limited to 1,000 seats in each case.]

[22. Dance halls.]

[50. Meeting and banquet halls.]

c. Conditional uses.

[1. Auditoriums and concert halls, with capacity greater in each case than 1,000 seats]

d. Notwithstanding other provisions of this ordinance, the following uses as conditional uses shall require authorization by

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ordinance of the Mayor and City Council subject to the requirements and provisions of Section 11.0-6d:

10. AUDITORIUMS AND CONCERT HALLS,--WITH-CAPACITY- ---
LIMITED-TO-1,000-SEATS-IN-EACH-CASE

11. DANCE HALLS

12. MEETING AND BANQUET HALLS

6.3 B-3 Community Commercial District

b.-Permitted-uses-

d. Notwithstanding other provisions of this ordinance, the following uses as conditional uses shall require authorization by ordinance of the Mayor and City Council subject to the requirements and provisions of Section 11.0-6d:

4A 13. AUDITORIUMS AND CONCERT HALLS,--WITH-CAPACITY
LIMITED-TO-1,000-SEATS-IN-EACH-CASE

19A 14. DANCE HALLS

39A 15. MEETING AND BANQUET HALLS

6.4 B-4 Central Business District

b. Permitted uses.

24. AUDITORIUMS AND CONCERT HALLS

25. DANCE HALLS

26. MEETING AND BANQUET HALLS

Sec. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th day after the date of its enactment.

July 6, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 139

(Council No. 141)

AN ORDINANCE concerning

RETAIL BUSINESS DISTRICT - HAMILTON

FOR the purpose of providing that the geographical area located within certain described boundaries shall be the Hamilton

Business District and providing a fee calculation method for the District.

BY adding to

Article 15 - Licenses

Subtitle - Retail Business Districts

Section 121 (g)

Baltimore City Code (1983 Replacement Volume, as amended)

WHEREAS, The business owners whose businesses are located within the Hamilton Business District, as set forth herein, desire a Retail Business District to be established in their area; and

WHEREAS, The business owners shall, upon adoption of this Ordinance, organize themselves as an incorporated business association for the purposes of promoting the commercial revitalization interests and general improvement of the Hamilton Business District consistent with the provisions of this Ordinance; and

WHEREAS, Hamilton is a designated commercial revitalization project area; and

WHEREAS, The Third Councilmanic District representatives and the Commissioner of Housing and Community Development, at the request of the business owners of the Hamilton Business District, have recommended and requested the establishment of a Retail Business District for the Hamilton Business Area now, therefore,

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Section(s) of the Baltimore City Code (1983 Replacement Volume) be added, repealed, or amended, to read as follows:

ARTICLE 15 - LICENSES

RETAIL BUSINESS DISTRICTS

121. Designated Retail Business Districts

(G) HAMILTON BUSINESS DISTRICTS.

(L) THE AREA LOCATED WITHIN THE BOUNDARIES SET FORTH IN THIS SUBSECTION IS HEREBY DECLARED TO BE A RETAIL BUSINESS DISTRICT AND MAY BE REFERRED TO AS HAMILTON BUSINESS DISTRICT:

BEGINNING-FOR-THE-SAME-AT-THE-POINT-FORMED-BY-THE
INTERSECTING-CENTER-LINES-OF-HARFORD--ROAD--AND-E-
STRATHMORE-AVENUE,-THENCE-RUNNING-NORTHWESTERLY-180
FEET--TO-INTERSECT-THE-CENTER-LINE-OF-A-10'-FEET--
ALLEY-AS-EXTENDED,-THENCE-RUNNING-NORTHEASTERLY-253
FEET--TO-INTERSECT-THE-DIVISION-LINE-BETWEEN-LOTS-6
AND-57-WARD-27,-SECTION-6,-BLOCK-5385-AS-EXTENDED,
THENCE-RUNNING-NORTHWESTERLY-130-FEET--TO-INTERSECT
THE-CENTER-LINE-OF-HAMPNETT-AVENUE-AT-A-POINT-250-FEET-

+-NORTHEASTERLY-FROM-THE-INTERSECTION-OF-THE-CENTER
LINES-OF-E-STRATHMORE-AVENUE-AND-HAMPNETT-AVENUE;
THENCE-RUNNING-NORTHEASTERLY-95-FEET-+-TO-INTERSECT-THE
CENTER-LINE-OF-GOODWOOD-ROAD-7-THENCE-RUNNING-EASTERLY
80-FEET-+-TO-A-POINT-240-FEET-+-NORTHWESTERLY-FROM-THE
INTERSECTING-CENTER-LINES-OF-HARFORD-ROAD-AND-GOODWOOD-
ROAD-7-THENCE-RUNNING-NORTHERLY-FROM-THE-CENTER-LINE-OF
GOODWOOD-ROAD--30-FEET-+-TO-INTERSECT-THE-DIVISION-LINE
BETWEEN-LOTS-8A7-147-14A7-157-167-177-67-77-AND-87-WARD
277-SECTION-67-BLOCK-53917-THENCE-RUNNING-NORTHWESTERLY
334-FEET-+-TO-INTERSECT-THE-DIVISION-LINE-BETWEEN-LOTS
17-AND-187-WARD-277-SECTION-67-BLOCK-53917-THENCE
RUNNING-NORTHEASTERLY-TO-THE-CENTER-LINE-OF-ECHODALE-
AVENUE-7-THENCE-RUNNING-NORTHWESTERLY-30-FEET-+-TO
INTERSECT-THE-DIVISION-LINE-BETWEEN-LOTS-45-AND-467
WARD-277-SECTION-277-287-BLOCK-5391-A-AS-EXTENDED7
THENCE-RUNNING-NORTHEASTERLY-TO-INTERSECT-THE-CENTER
LINE-OF-THE-ADJOINING-20-FOOT-ALLEY-7-THENCE-RUNNING
NORTHWESTERLY-225-FEET-+-TO-INTERSECT-THE-DIVISION-LINE
BETWEEN-LOTS-12-AND-137-WARD-277-SECTION-277-287-BLOCK
5391-A-AS-EXTENDED7-THENCE-RUNNING-NORTHEASTERLY-TO
INTERSECT-THE-CENTER-LINE-OF-GIBBONS-AVENUE-AT-A-POINT
610-FEET-+-NORTHWESTERLY-FROM-THE-INTERSECTING-CENTER
LINES-OF-GIBBONS-AVENUE-AND-HARFORD-ROAD-7-THENCE
RUNNING-NORTHWESTERLY-40-FEET-+-TO-INTERSECT-THE
DIVISION-LINE-BETWEEN-LOTS-30-AND-297-WARD-277-SECTION
277-287-BLOCK-5393-AS-EXTENDED7-THENCE-RUNNING
NORTHEASTERLY-TO-INTERSECT-THE-CENTER-LINE-OF-THE
ADJOINING-20-FOOT-ALLEY-7-THENCE-RUNNING-SOUTHWESTERLY-8
FEET-+-TO-INTERSECT-THE-DIVISION-LINE-BETWEEN-LOTS-9
AND-10-WARD-277-SECTION-277-287-BLOCK-5393-AS-EXTENDED7
THENCE-RUNNING-NORTHEASTERLY-TO-INTERSECT-THE-CENTER
LINE-OF-HAMILTON-AVENUE-7-THENCE-RUNNING-NORTHWESTERLY
TO-INTERSECT-THE-CENTER-LINE-OF-HAMPNETT-AVENUE-7-THENCE
RUNNING-NORTHEASTERLY-TO-INTERSECT-THE-CENTER-LINE-OF
EVERGREEN-AVENUE-7-THENCE-RUNNING-SOUTHEASTERLY-40-FEET
+-TO-INTERSECT-THE-DIVISION-LINE-BETWEEN-LOTS-29-AND
287-WARD-277-SECTION-57-BLOCK-5414-AS-EXTENDED7-THENCE
RUNNING-NORTHEASTERLY-153-FEET-+-TO-INTERSECT-THE-
DIVISION-LINE-BETWEEN-LOTS-287-277-267-257-247-23A7-237-227
217-207-197-657-647-63A7-637-627-617-607-597-AND-587-WARD
277-SECTION-57-BLOCK-54147-THENCE-RUNNING-NORTHWESTERLY-500
FEET-+-TO-INTERSECT-THE-DIVISION-LINE-BETWEEN-LOTS-58-AND
577-WARD-277-SECTION-57-BLOCK-54147-THENCE-RUNNING
NORTHEASTERLY-142-FEET-+-TO-INTERSECT-THE-CENTER-LINE-OF
BAYONNE-AVENUE-AT-A-POINT-863-FEET-+-SOUTHEASTERLY-FROM-THE
INTERSECTING-CENTER-LINES-OF-HAMLET-AND-BAYONNE-AVENUES7

THENCE-RUNNING-NORTHEASTERLY-TO-INTERSECT-THE-DIVISION-LINE
BETWEEN-LOTS-18-AND-197-WARD-277-SECTION-57-BLOCK-5415-AS
EXTENDED7-THENCE-RUNNING-NORTHEASTERLY-143-FEET-+-TO
INTERSECT-THE-NORTHEASTERN-LOT-LINE-OF-LOTS-187-197-207-217
227-237-247-257-267-277-287-AND-297-WARD-277-SECTION-57
BLOCK-54157-THENCE-RUNNING-SOUTHEASTERLY-578-FEET-+-TO
INTERSECT-THE-DIVISION-LINE-BETWEEN-LOTS-327-337-317-307-AND

29,-WARD-27,-SECTION-5,-BLOCK-5415,-THENCE-RUNNING
 SOUTHWESTERLY-140-FEET--TO-INTERSECT-THE-CENTER-LINE-OF
 BAYONNE-AVENUE-AT-A-POINT-200-FEET--NORTHWESTERLY-FROM-THE
 INTERSECTING-CENTER-LINES-OF-BAYONNE-AVENUE-AND-HARFORD
 ROAD,-THENCE-RUNNING-SOUTHEASTERLY-TO-INTERSECT-THE-CENTER
 LINE-OF-HARFORD-ROAD,-THENCE-RUNNING-NORTHEASTERLY-TO
 INTERSECT-THE-CENTER-LINE-OF-BAYONNE-AVENUE,-AS-EXTENDED,
 THENCE-RUNNING-SOUTHEASTERLY-660-FEET--TO-INTERSECT-THE
 DIVISION-LINE-BETWEEN-LOTS-12-AND-11,-WARD-27,-SECTION-3,
 BLOCK-5766,-AS-EXTENDED,-THENCE-RUNNING-SOUTHWESTERLY-170
 FEET--TO-INTERSECT-THE-DIVISION-LINE-BETWEEN-LOTS-11,-12,
 21,-AND-20,-WARD-27,-SECTION-3,-BLOCK-5766,-THENCE-RUNNING
 NORTHWESTERLY-75-FEET--TO-INTERSECT-THE-DIVISION-LINE
 BETWEEN-LOTS-21-AND-20,-WARD-27,-SECTION-3,-BLOCK-5766,
 THENCE-RUNNING-SOUTHWESTERLY-155-FEET--TO-INTERSECT-THE
 CENTER-LINE-OF-EVERGREEN-AVENUE,-THENCE-RUNNING
 NORTHWESTERLY-18-FEET--TO-INTERSECT-THE-DIVISION-LINE
 BETWEEN-LOTS-3-AND-4,-WARD-27,-SECTION-3,-BLOCK-5773-AS
 EXTENDED,-THENCE-RUNNING-SOUTHWESTERLY-160-FEET--TO
 INTERSECT-THE-DIVISION-LINE-BETWEEN-LOTS-3,-4,-AND-15,-WARD
 27,-SECTION-3,-BLOCK-5773,-THENCE-RUNNING-SOUTHEASTERLY-60
 FEET--TO-INTERSECT-THE-CENTER-LINE-OF-ARABIA-AVENUE,-THENCE
 RUNNING-SOUTHWESTERLY-210-FEET--TO-INTERSECT-THE-CENTER
 LINE-OF-ARABIA-AVENUE,-THENCE-RUNNING-SOUTHWESTERLY-280-FEET
 --TO-INTERSECT-THE-CENTER-LINE-OF-HAMILTON-AVENUE,-THEN
 RUNNING-NORTHWESTERLY-60-FEET--TO-INTERSECT-THE-DIVISION
 LINE-BETWEEN-LOTS-27-AND-25/26,-WARD-27,-SECTION-2,-BLOCK
 5774-A,-AS-EXTENDED,-TO-A-POINT-640-FEET--SOUTHEASTERLY
 FROM-THE-INTERSECTING-CENTER-LINES-OF-HARFORD-ROAD-AND
 HAMILTON-AVENUE,-THENCE-RUNNING-SOUTHWESTERLY-334-FEET--TO
 INTERSECT-THE-CENTER-LINE-OF-GIBBONS-AVENUE-AT-A-POINT-600
 FEET--SOUTHEASTERLY-FROM-THE-INTERSECTING-CENTER-LINES-OF
 HARFORD--ROAD-AND-GIBBONS-AVENUE,-THENCE-RUNNING
 NORTHWESTERLY-2-FEET--TO-INTERSECT-THE-DIVISION-LINE
 BETWEEN-LOTS-28-AND-29,-WARD-27,-SECTION-2,-BLOCK-5774,-AS
 EXTENDED,-THENCE-RUNNING-SOUTHWESTERLY-477-FEET--TO
 INTERSECT-THE-CENTER-LINE-OF-ECHDALE-AVENUE-AT-A-POINT-559
 FEET--SOUTHEASTERLY-FROM-THE-INTERSECTING-CENTER-LINES-OF
 HARFORD-ROAD--AND-ECHDALE-AVENUE,-THENCE-RUNNING
 SOUTHEASTERLY-30-FEET--TO-INTERSECT-THE-DIVISION-LINE
 BETWEEN-LOTS-1-M-AND-1-N,-WARD-27,-SECTION-2,-BLOCK-5797,-AS
 EXTENDED,-TO-A-POINT-640-FEET--NORTHWESTERLY-FROM-THE
 INTERSECTING-CENTER-LINES-OF-TWIN-OAK-AVENUE-AND-ECHDALE
 AVENUE,-THENCE-RUNNING-SOUTHWESTERLY-160-FEET--TO-INTERSECT
 THE-NORTHERN-LOT-LINE-OF-LOT-22/24,-WARD-27,-SECTION-2,
 BLOCK-5797,-THENCE-NORTHWESTERLY-TO-INTERSECT-THE
 NORTHWESTERN-LOT-LINE-OF-SAID-LOT,-THENCE-SOUTHWESTERLY-TO
 INTERSECT-THE-DIVISION-LINE-BETWEEN-LOTS-22/24,-25,-26,-51,
 AND-52,-WARD-27,-SECTION-2,-BLOCK-5797,-THENCE
 NORTHWESTERLY,-AS-EXTENDED,-TO-INTERSECT-THE-CENTER-LINE-OF
 BATAVIA-AVENUE-AT-A-POINT-415-FEET--SOUTHEASTERLY-FROM-THE
 INTERSECTING-CENTER-LINES-OF-HARFORD-ROAD-AND-BATAVIA
 AVENUE,-THENCE-NORTHWESTERLY-TO-INTERSECT-THE-CENTER-LINE-OF
 HARFORD-ROAD,-THENCE-SOUTHWESTERLY-TO-THE-POINT-OF
 BEGINNING-

BEGINNING FOR THE SAME AT THE POINT FORMED BY THE INTERSECTING
 CENTERLINES OF HARFORD ROAD AND E. STRATHMORE AVENUE; THENCE
 RUNNING NORTHWESTERLY 110 FEET + ALONG THE CENTER LINE OF E.
 STRATHMORE AVENUE; THENCE RUNNING NORTHEASTERLY 125 FEET +;
 THENCE RUNNING NORTHWESTERLY 68 FEET + TO INTERSECT THE
 CENTERLINE OF THE ADJOINING ALLEY; THENCE RUNNING NORTHEASTERLY
 ALONG SAID CENTERLINE 128 FEET +; THENCE RUNNING NORTHWESTERLY 5
 FEET +; THENCE RUNNING NORTHEASTERLY 217 FEET +; THENCE RUNNING
 NORTHWESTERLY 190 FEET +; THENCE RUNNING NORTHEASTERLY 121 FEET +
 TO INTERSECT THE CENTERLINE OF THE 20 FOOT + ALLEY; THENCE
 RUNNING NORTHEASTERLY 185 FEET + ALONG SAID CENTERLINE; THENCE
 RUNNING NORTHWESTERLY 160 FEET + ALONG THE LAST MENTIONED
 CENTERLINE; THENCE RUNNING NORTHEASTERLY 220 FEET + TO INTERSECT
 THE CENTERLINE OF GIBBONS AVENUE; THENCE RUNNING SOUTHEASTERLY 80
 FEET + ALONG SAID CENTERLINE TO INTERSECT THE CENTERLINE OF A 20
 FOOT ALLEY AS EXTENDED; THENCE RUNNING NORTHEASTERLY 210 FEET +
 ALONG SAID CENTERLINE TO INTERSECT THE CENTERLINE OF THE
 ADJOINING 20 FOOT ALLEY; THENCE RUNNING NORTHWESTERLY 380 FEET +
 ALONG THE LAST MENTIONED CENTERLINE; THENCE RUNNING NORTHEASTERLY
 230 FEET + TO INTERSECT THE CENTERLINE OF HAMILTON AVENUE; THENCE
 RUNNING NORTHWESTERLY ALONG SAID CENTERLINE 55 FEET + TO
 INTERSECT THE CENTERLINE OF HAMPNETT AVENUE; THENCE RUNNING
 NORTHEASTERLY 340 FEET +; THEN RUNNING SOUTHEASTERLY 105 FEET +;
 THENCE RUNNING NORTHEASTERLY 138 FEET + TO INTERSECT CENTERLINE
 OF EVERGREEN AVENUE; THENCE RUNNING SOUTHEASTERLY 110 FEET +
 ALONG SAID CENTERLINE; THENCE RUNNING NORTHEASTERLY 154 FEET +;
 THENCE RUNNING NORTHWESTERLY 180 FEET +; THENCE RUNNING
 NORTHEASTERLY 140 FEET + TO INTERSECT THE CENTERLINE OF BAYONNE
 AVENUE; THENCE RUNNING SOUTHEASTERLY 70 FEET + TO INTERSECT THE
 CENTERLINE OF HARFORD ROAD; THENCE RUNNING NORTHEASTERLY 83 FEET
 + TO INTERSECT THE CENTERLINE OF BAYONNE AVENUE; THENCE RUNNING
 SOUTHEASTERLY 273 FEET +; THENCE RUNNING SOUTHWESTERLY 175 FEET
 +; THENCE RUNNING SOUTHEASTERLY 131 FEET +; THENCE RUNNING
 SOUTHWESTERLY 90 FEET +; THENCE RUNNING NORTHWESTERLY 188 FEET +;
 THENCE RUNNING SOUTHWESTERLY 133 FEET + TO INTERSECT THE
 CENTERLINE OF EVERGREEN AVENUE; THENCE RUNNING SOUTHEASTERLY 40
 FEET + ALONG SAID CENTERLINE; THENCE RUNNING SOUTHWESTERLY 97
 FEET +; THENCE RUNNING SOUTHEASTERLY 131 FEET +; TO INTERSECT THE
 CENTERLINE OF RICHARD AVENUE; THENCE RUNNING 210 FEET + ALONG
 SAID CENTERLINE TO INTERSECT THE CENTERLINE OF WISTERIA AVENUE;
 THENCE RUNNING 400 FEET + ALONG THE LAST MENTIONED CENTERLINE TO
 INTERSECT THE CENTERLINE OF ARABIA AVENUE; THENCE RUNNING
 SOUTHWESTERLY 283 FEET + ALONG THE LAST MENTIONED CENTERLINE TO
 INTERSECT THE CENTERLINE OF HAMILTON AVENUE; THENCE RUNNING
 NORTHWESTERLY 60 FEET + ALONG THE CENTERLINE OF HAMILTON AVENUE;
 THENCE RUNNING SOUTHWESTERLY 230 FEET + TO INTERSECT THE
 CENTERLINE OF SAINT JOHNS AVENUE; THENCE RUNNING NORTHWESTERLY
 375 FEET + ALONG SAID CENTERLINE; THENCE RUNNING SOUTHWESTERLY
 228 FEET + TO INTERSECT THE CENTERLINE OF GIBBONS AVENUE; THENCE
 RUNNING SOUTHEASTERLY 185 FEET +; THENCE RUNNING SOUTHWESTERLY
 268 FEET +; THENCE RUNNING NORTHWESTERLY 140 FEET +; THENCE
 RUNNING SOUTHWESTERLY 53 FEET +; THENCE RUNNING NORTHWESTERLY 50
 FEET +; THENCE RUNNING SOUTHWESTERLY 111 FEET + TO INTERSECT THE
 CENTERLINE OF ECHODALE AVENUE; THENCE RUNNING NORTHWESTERLY 20
 FEET + ALONG SAID CENTERLINE TO INTERSECT THE CENTERLINE OF A 12

FOOT ALLEY AS EXTENDED; THENCE RUNNING SOUTHWESTERLY ALONG SAID CENTERLINE 249 FEET +; THENCE RUNNING SOUTHEASTERLY 90 FEET + TO INTERSECT THE CENTERLINE OF A 13 FOOT ALLEY; THENCE RUNNING SOUTHWESTERLY 173 FEET + TO INTERSECT THE CENTERLINE OF BATAVIA AVENUE; THENCE RUNNING NORTHWESTERLY ALONG SAID CENTERLINE 243 FEET + TO INTERSECT THE CENTERLINE OF HARFORD ROAD; THENCE RUNNING SOUTHWESTERLY 60 FEET + ALONG SAID CENTERLINE TO THE POINT OF BEGINNING.

(2) CALCULATION OF FEE.

THE FEE FOR THE HAMILTON BUSINESS DISTRICT LICENSE SHALL BE BASED UPON THE TOTAL NUMBER OF SQUARE FEET OF FIRST FLOOR SPACE FOR EACH BUSINESS ESTABLISHMENT OCCUPIED FOR RETAIL, SERVICE, RENTAL OR PROFESSIONAL SERVICES RENDERED BY THAT ESTABLISHMENT WHETHER THE PREMISES ARE OWNED, LEASED OR OTHERWISE HELD BY SUCH BUSINESS ESTABLISHMENT. PARKING LOTS AND WAREHOUSES ARE EXEMPT FROM THE PAYMENT OF ANY FEE, PROVIDED, HOWEVER, THE STORAGE SPACE INCIDENTAL TO A BUSINESS ESTABLISHMENT'S PRIMARY BUSINESS IS NOT EXEMPT HEREUNDER FOR PURPOSES OF CALCULATION AND PAYMENT OF THIS LICENSE FEE. THE HAMILTON BUSINESS DISTRICT FEE SHALL BE CALCULATED BY DETERMINING THE NUMBER OF SQUARE FEET OF LICENSABLE SPACE AS SPECIFIED ABOVE FOR EACH BUSINESS ESTABLISHMENT AND ASSESSING THEM AS FOLLOWS: FROM 0 TO 1000 SQUARE FEET THE FEE SHALL BE \$100; FROM 1001 TO 2000 SQUARE FEET THE FEE SHALL BE \$175; FROM 2001 TO 3000 SQUARE FEET THE FEE SHALL BE \$250; ALL ESTABLISHMENTS HAVING GREATER THAN 3000 SQUARE FEET SHALL BE ASSESSED \$325. WHOLLY OWNED SUBSIDIARIES SHALL BE BILLED AS A SEPARATE BUSINESS IF OPERATING UNDER A NAME DIFFERENT FROM THE PARENT ORGANIZATION.

(3) MERCHANTS ASSOCIATION.

VOTING ON THE ANNUAL BUDGET SHALL BE BY A MAJORITY VOTE OF THE LICENSEES VOTING IN PERSON OR BY WRITTEN PROXY AT A MEETING CALLED BY THE HAMILTON BUSINESS ASSOCIATION FOR THAT PURPOSE. EACH LICENSEE SHALL HAVE 1 VOTE PER LICENSED ESTABLISHMENT AND NO VOTE SHALL CARRY EXCEPT BY A MAJORITY OF VOTES CAST.

SEC. 2. AND BE IT FURTHER ORDAINED, That for the purpose of the Retail Business District specified in Section 121 (g), the licensing period shall begin 30 days after approval by the Mayor and City Council.

SEC. 3. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect on the date of its enactment.

July 6, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 140

(Council No. 150)

AN ORDINANCE concerning

TENANT'S RIGHT OF FIRST REFUSAL

FOR the purpose of providing for an adjustment of the sale price to a tenant of a property which is, ~~when the tenant exercises the right of first refusal~~, one of two or more properties being sold as a package or in bulk by the landlord to a third party purchaser and broadening the definition of relatives to whom a landlord may convey title to property without offering the tenant the right of first refusal.

By adding

Article 13 - Housing and Urban Renewal
Subtitle - Tenant's Right of First Refusal
Section 49 (e)
Baltimore City Code (1983 Replacement Volume, as amended)

BY repealing and reordaining with amendments

Article 13 - Housing and Urban Renewal
Subtitle - Tenant's Right of First Refusal
Section 52
Baltimore City Code (1983 Replacement Volume, as amended)

WHEREAS, tenants have exercised the right of first refusal to purchase properties which are included in a sale of two or more properties being sold in bulk to third party purchasers; and

WHEREAS, an offer and sale to a tenant instead of a third party bulk sale buyer can result in increased legal, administrative, accounting costs, and settlement charges, as well as lost interest on the proceeds of delayed sales; and

WHEREAS, landlords should be able to adjust the sale price to recover these increased costs and tenants should not be required to pay more than those additional costs; and

WHEREAS, landlords wish to transfer by gift title to property to relatives without being required to offer or sell the property to the tenant; now, therefore,

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Section(s) of the Baltimore City Code (1983 Replacement Volume, as amended) be added, repealed, or amended, to read as follows:

ARTICLE 13 - HOUSING AND URBAN RENEWAL

TENANT'S RIGHT TO FIRST REFUSAL

49. Time period for the tenant to exercise right of first refusal.

(E) WHERE A LANDLORD'S CONTRACT WITH A THIRD PARTY INCLUDES THE SALE OF TWO OR MORE PROPERTIES ("BULK SALE") AND A TENANT INDICATES HIS INTENTION TO CONTRACT WITH THE LANDLORD IN LIEU OF A THIRD PARTY, IN TENDERING A CONTRACT PURSUANT TO SECTION 49(A)(4), THE LANDLORD MAY ADJUST THE SALE PRICE TO BE CONTAINED THEREIN TO THE EXTENT THAT TERMS REQUIRED UNDER THIS SUBTITLE WOULD OTHERWISE REDUCE THE NET PROCEEDS OF THE SALE, AS NET PROCEEDS ARE DEFINED IN THE ORDINANCE AND THE REGULATIONS IMPLEMENTING THE ORDINANCE. SUCH AN ADJUSTMENT MAY INCLUDE AN INCREASE OF UP TO 1.75% OF THE PRICE AT WHICH THE INDIVIDUAL PROPERTY WAS OFFERED TO THE THIRD PARTY.

52. Exemptions.

The following transfers of title to single family residential rental properties shall be exempt from the requirements of this law: transfer of title to a spouse, child or children, parents, siblings or in-laws ~~or~~ of the landlord; transfer of title by will or through inheritance pursuant to the ~~estates-and-trusts-article~~ Estates and Trusts Article of the Annotated Code of Maryland; a gift to any religious, charitable, or benevolent, tax exempt donee; transfer of title in a mortgage or deed ~~or~~ of trust; transfer of title to a government agency; transfer of, or for the sole purpose of creating, a reversionary (ground rent) interest, where the lease-hold is retained by, or was not owned by, the transferor; transfer of title in lieu of foreclosure of a mortgage or deed of trust; any sale at public auction of a property individually where the landlord has offered the property to the tenant pursuant to Section 49(a), and the tenant has failed to exercise the right of first refusal as therein provided, prior to said auction sale; [and] any transfer by a personal representative from a decedent's estate made in the course of the administration of the estate[.]; AND A TRANSFER OF TITLE BY A BONA FIDE GIFT TO ANY RELATIVE OF THE TRANSFEROR OR RELATIVE OF THE TRANSFEROR'S SPOUSE. FOR THE PURPOSE OF THE LAST EXEMPTION, A RELATIVE OF THE TRANSFEROR OR THE TRANSFEROR'S SPOUSE SHALL BE LIMITED TO THE FOLLOWING: (A) THOSE RELATIVES AS CURRENTLY SET FORTH IN SECTION 267(C)(4) OF THE INTERNAL REVENUE CODE OF 1986 AND ALL LINEAL DESCENDANTS AND SPOUSES OF THOSE RELATIVES TO THE EXTENT NOT ALREADY INCLUDED THEREIN, PROVIDED THAT "ANCESTORS" AS DEFINED IN SECTION 267(C)(4) SHALL BE LIMITED TO THE LEVELS OF PARENTS AND GRANDPARENTS; (B) "LINEAL DESCENDANTS" SHALL INCLUDE ILLEGITIMATE CHILDREN AND STEP CHILDREN AND FULL EFFECT SHALL BE GIVEN TO LEGAL ADOPTION.

UNIVERSITY OF MARYLAND

Ord. No. 141

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th day after the date of its enactment.

July 6, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 141

(Council No. 152)

AN ORDINANCE concerning

ISSUANCE OF PARKING REVENUE OBLIGATIONS

FOR purpose of increasing the maximum aggregate principal amount of Revenue Obligations authorized to be issued by the Mayor and City Council of Baltimore pursuant to Ordinance No. 998 (Bill No. 1602), as amended, of the Mayor and City Council of Baltimore, approved and effective on June 30, 1983, from not exceeding One Hundred Twenty Million Dollars (\$120,000,000) to not exceeding One Hundred Fifty Million Dollars (\$150,000,000).

BY amending paragraph (A) of Section 3, of Ordinance No. 998 (Bill No. 1602) of the Mayor and City Council of Baltimore (approved and effective on June 30, 1983) as amended by Ordinances of the Mayor and City Council of Baltimore numbered No. 67 (Bill No. 132) (approved and effective on May 14, 1984), No. 221 (Bill No. 405) (approved and effective on November 23, 1984), No. 573 (Bill No. 1098) (approved and effective on December 24, 1985), No. 702 (Bill No. 1275) (approved and effective on June 26, 1986) and No. 1036 (Bill No. 1714) (approved and effective on July 17, 1987).

RECITALS

Ordinance No. 998 (Bill No. 1602) (the "Ordinance") of the Mayor and City Council of Baltimore (the "City"), approved by the Mayor of the City and effective on June 30, 1983, authorizes the issuance from time to time by the City of its Revenue Obligations (as defined in the Ordinance) (the "Revenue Obligations") in order to finance Parking Facilities (as defined in the Ordinance) (the "Parking Facilities") to be located within the geographical limits of the City.

By Ordinance No. 67 (Bill No. 132) of the Mayor and City Council of Baltimore, approved by the Mayor of the City and effective on May 14, 1984, the aggregate principal amount of Revenue Obligations authorized to be issued pursuant to the Ordinance was increased from \$30,000,000 to \$60,000,000.

By Ordinance No. 221 (Bill No. 405) of the Mayor and City Council of Baltimore, approved by the Mayor of the City and effective on November 23, 1984, the aggregate principal amount of Revenue Obligations authorized to be issued pursuant to the Ordinance was increased from \$60,000,000 to \$76,000,000.

By Ordinance No. 573 (Bill No. 1098) of the Mayor and City Council of Baltimore, approved by the Mayor of the City and effective on December 24, 1985, the aggregate principal amount of Revenue Obligations authorized to be issued pursuant to the Ordinance was increased from \$76,000,000 to \$93,000,000.

By Ordinance No. 702 (Bill No. 1275) of the Mayor and City Council of Baltimore, approved by the Mayor of the City and effective on June 26, 1986, the aggregate principal amount of Revenue Obligations authorized to be issued pursuant to the Ordinance was increased from \$93,000,000 to \$108,000,000.

By Ordinance 1036 (Bill No. 1714) of the Mayor and City Council of Baltimore, approved by the Mayor of the City and effective on July 17, 1987, the aggregate principal amount of Revenue Obligations authorized to be issued pursuant to the Ordinance was increased from \$108,000,000 to \$120,000,000.

Because of certain events that have occurred since the passage of the ordinance which affect the aggregate principal amount of Revenue Obligations which may be required to be issued by the City in order to finance Parking Facilities, the City wishes to enact this supplemental ordinance to increase to One Hundred Fifty Million Dollars (\$150,000,000) the aggregate principal amount of Revenue Obligations that may be issued under the Ordinance.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That paragraph (A) of Section 3 of Ordinance No. 998 (Bill No. 1602) of the Mayor and City Council of Baltimore, approved and effective June 30, 1983, as amended by Ordinance No. 67 (Bill No. 132) of the Mayor and City Council of Baltimore, approved and effective on May 14, 1984, Ordinance No. 221 (Bill No. 405) of the Mayor and City Council of Baltimore, approved and effective on November 23, 1984, Ordinance No. 573 (Bill No. 1098) of the Mayor and City Council of Baltimore, approved and effective on December 24, 1985, Ordinance No. 702 (Bill No. 1275) of the Mayor and City Council of Baltimore, approved and effective on June 26, 1986 and Ordinance No. 1036 (Bill No. 1714) of the Mayor and City Council of Baltimore, approved and effective on July 17, 1987 (collectively, the "Ordinance"), be and hereby is amended to read as follows:

(A) The issuance, sale and delivery of an aggregate principal amount of Revenue Obligations which, when issued, will result in receipt by the City (inclusive of Costs of Issuance, as defined herein) of not exceeding [Thirty Million Dollars (\$30,000,000)] [Sixty Million Dollars (\$60,000,000)] [Seventy-Six Million Dollars (\$76,000,000)] [Ninety-Three Million

UNIVERSITY OF MARYLAND

Dollars (\$93,000,000)] [One Hundred Eight Million Dollars (\$108,000,000)] [One Hundred Twenty Million Dollars (\$120,000,000)] ONE HUNDRED FIFTY MILLION DOLLARS (\$150,000,00) is hereby authorized for the general public purposes of financing the cost of Parking Development Activities at or for Parking Facilities owned by the City, the proceeds of which are to finance the applicable Parking Development Activities, and repaying the City for amounts expended on Parking Facilities in anticipation of the issuance of the Revenue Obligations. This maximum amount may consist of (i) Revenue Notes, (ii) Revenue Bonds, (iii) Refunding Revenue Notes, (iv) Refunding Revenue Bonds or (v) any combination of items (i) to (iv) above. Any Refunding Obligations issued hereunder to refund any Revenue Obligations previously issued hereunder shall replace that portion of the authorized amount of Revenue Obligations previously issued and shall not be deemed to reduce the maximum authorized amount of Revenue Obligations permitted to be issued hereunder.

SEC. 2. AND BE IT FURTHER ORDAINED, That the Ordinance, as hereby amended, shall remain in full force and effect.

SEC. 3. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect on the date of its enactment.

July 6, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 142

(Council No. 172)

AN ORDINANCE concerning

CITY PROPERTY - SALE

FOR the purpose of authorizing the Mayor and City Council of Baltimore to sell at either public or private sale all of the interest of the Mayor and City Council of Baltimore in and to a certain parcel of land and improvements located at 1601 North Calhoun Street, Sandtown-Winchester Urban Renewal Area, said parcel of land and improvements being no longer needed for public use.

BY authority of
Article V - Comptroller
Section 5(b)
Baltimore City Charter (1964 Revision, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Comptroller of Baltimore City be and he is hereby authorized to sell at either public or private sale in accordance with Article V, Section 5(b) of the City Charter (1964

Revision, as amended), all of the interest of the Mayor and City Council of Baltimore in and to a certain parcel of land and improvements situate in Baltimore, Maryland, and described as follows:

1601 North Calhoun Street (Block 296 Lot 1/6)
Formerly Known as School 181,
Frederick Douglass Senior High School
containing 128,924 square feet of land,
more or less

Said property being no longer needed for public use.

SEC. 2. AND BE IT FURTHER ORDAINED, That no deed or deeds shall pass in accordance herewith until the same shall have been first approved by the City Solicitor.

SEC. 3. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

July 6, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 143

(Council No. 173)

AN ORDINANCE concerning

CITY PROPERTY - SALE

FOR the purpose of authorizing the Mayor and City Council of Baltimore to sell at either public or private sale all of the interest of the Mayor and City Council of Baltimore in and to a certain parcel of land and improvements located at 1801 North Rosedale Street, Baltimore, Maryland, said parcel of land and improvements being no longer needed for public use.

BY authority of
Article V - Comptroller
Section 5(b)
Baltimore City Charter (1964 Revision, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Comptroller of Baltimore City be and he is

hereby authorized to sell at either public or private sale in accordance with Article V, Section 5(b) of the City Charter (1964 Revision, as amended), all of the interest of the Mayor and City Council of Baltimore in and to a certain parcel of land and improvements situate in Baltimore, Maryland, and described as follows:

1801 North Rosedale Street (Block 2426 Lot 16)
Formerly Known as School 148, Rosedale
Elementary School
Containing 30,627 square feet of land,
more or less

Said property being no longer needed for public use.

SEC. 2. AND BE IT FURTHER ORDAINED, That no deed or deeds shall pass in accordance herewith until the same shall have been first approved by the City Solicitor.

SEC. 3. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

July 6, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 144

(Council No. 178)

AN ORDINANCE concerning

SOLID WASTE COLLECTION

FOR the purpose of requiring persons collecting solid waste to obtain an annual permit from the Commissioner of Health; providing general regulations for collectors of solid waste; providing for permit revocations and hearings thereon; and providing penalties.

BY adding

Article 11 - Health

To come under a new subtitle - Solid Waste Collection

Sections 266-272

Baltimore City Code (1983 Replacement Volume, as amended)

Section 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Section(s) of the Baltimore City Code (1983 Replacement Volume, as amended) be added, repealed, or amended, to read as follows:

ARTICLE 11 - HEALTH

SOLID WASTE COLLECTION

266. DEFINITIONS.

(A) "COMMISSIONER" MEANS THE COMMISSIONER OF HEALTH OF BALTIMORE CITY.

(B) "SOLID WASTE" MEANS ALL PUTRESCIBLE AND NONPUTRESCIBLE WASTE MATERIALS WHICH ARE NOT GASEOUS OR LIQUID. THE TERM INCLUDES GARBAGE, RUBBISH, ASHES, INCINERATOR RESIDUE, WASTEWATER TREATMENT RESIDUE, STREET CLEANINGS, DEAD ANIMALS, DEMOLITION AND CONSTRUCTION DEBRIS, HOUSEHOLD APPLIANCES, AUTOMOBILE BODIES, OFFAL, PAUNCH MANURE, AND SOLID WASTES FROM COMMERCIAL OR INDUSTRIAL ACTIVITIES.

267. PERMITS.

(A) NO PERSON, EXCEPT THE EMPLOYEES OF THE CITY ENGAGED IN PUBLIC WORK OR PERSONS UNDER CONTRACT WITH THE CITY FOR PUBLIC

WORK, SHALL ENGAGE IN THE COLLECTION AND DISPOSAL OF SOLID WASTE FOR COMPENSATION WITHOUT FIRST OBTAINING A WRITTEN PERMIT FROM THE COMMISSIONER OF HEALTH. IN ADDITION, FIRMS THAT PERFORM THEIR OWN HAULING OF SOLID WASTE ON A REGULAR BASIS ARE REQUIRED TO OBTAIN SUCH A PERMIT.

(B) NO PERSON SHALL CONTRACT WITH OR HIRE A SOLID WASTE COLLECTOR WHO DOES NOT HAVE A LAWFUL PERMIT AS PROVIDED IN THIS SUBTITLE.

(C) THE APPLICANT FOR A COLLECTION PERMIT SHALL SUBMIT ON A FORM PROVIDED BY THE COMMISSIONER, INFORMATION ON THE NUMBER, TYPE, MAKE, YEAR, AND CAPACITY OF THE VEHICLES PROPOSED TO BE EMPLOYED IN THE COLLECTION SERVICE. ALL PERMITS SHALL BE SUBJECT TO RENEWAL AT THE END OF EACH CALENDAR YEAR.

(D) AFTER A REVIEW OF THE APPLICATION, A REPRESENTATIVE OF THE COMMISSIONER SHALL INSPECT THE COLLECTION EQUIPMENT BEFORE A PERMIT WILL BE ISSUED.

(E) AN APPROPRIATE PERMIT FEE SHALL BE ESTABLISHED BY THE COMMISSIONER WITH THE APPROVAL OF THE BOARD OF ESTIMATES.

(F) EXEMPTIONS. THE PROVISIONS OF THIS SUBTITLE DO NOT APPLY TO A 1 OR 2 DAY COMMUNITY CLEAN-UP WHERE NEIGHBORS JOIN IN TO PAY THE COST OF HIRING A TRUCK.

268. ADMINISTRATION OF SUBTITLE.

(A) THE ADMINISTRATION OF THIS SUBTITLE IS HEREBY VESTED IN THE COMMISSIONER OF HEALTH.

(B) THE COMMISSIONER MAY ADOPT AND PROMULGATE RULES AND REGULATIONS CONCERNING THE SOLID WASTE COLLECTION EQUIPMENT AND ITS OPERATION COVERED BY THIS SUBTITLE.

269. GENERAL RESPONSIBILITIES OF COLLECTORS.

(A) EACH PERMIT HOLDER SHALL PREVENT THE LOSS OF ANY LID WASTE FROM BOTH COLLECTION CONTAINERS AND COLLECTION VEHICLES.

(B) EACH PERMIT HOLDER SHALL COVER OR TIE DOWN ANY SOLID WASTE TRANSPORTED ON AN OPEN TYPE VEHICLE IN SUCH MANNER AS TO PREVENT SPILLAGE DURING THE TIME OF ITS TRANSPORTATION BETWEEN THE COLLECTION SITE AND THE PLACE OF DISPOSAL.

(C) EACH COLLECTION VEHICLE SHALL BE MAINTAINED IN A CLEAN CONDITION SO AS TO MINIMIZE ODORS AND PREVENT INSECT AND RODENT BREEDING.

(D) EACH COLLECTION TRUCK OR VEHICLE SHALL BE IDENTIFIED WITH THE NAME OF AND BUSINESS TELEPHONE NUMBER OF THE OWNER. THIS IDENTIFICATION SHALL BE ON BOTH DOORS OR SIDES OF EACH

VEHICLE AND BE IN LETTERS IN SHARP COLOR CONTRAST TO THE BACKGROUND AND SHALL BE OF SUCH SIZE, SHAPE, AND COLOR AS TO BE READILY LEGIBLE, DURING DAYLIGHT HOURS, FROM A DISTANCE OF 50 FEET WHILE THE VEHICLE IS NOT IN MOTION. THE DISPLAY OF IDENTIFICATION MAY BE ACCOMPLISHED THROUGH THE USE OF A REMOVABLE DEVICE SO PREPARED AS TO OTHERWISE MEET THE IDENTIFICATION AND LEGIBILITY REQUIREMENTS OF THIS SECTION.

(E) EACH COLLECTION CONTAINER WITH A CAPACITY OF 2 CUBIC YARDS OR MORE SHALL BE IDENTIFIED WITH LETTERS PLAINLY DISTINGUISHABLE AND NOT LESS THAN 3 INCHES HIGH IN PERMANENT PAINT OR DECALS ON THE OUTWARD-FACING SIDE OF THE CONTAINER. THIS IDENTIFICATION SHALL INCLUDE THE NAME OF THE PERMIT HOLDER DOING THE HAULING AS WELL AS ~~THE NAME OF THE CUSTOMER WHOSE SOLID WASTE IS DEPOSITED IN THE CONTAINER~~ AN IDENTIFICATION NUMBER.

(F) PERMIT HOLDERS AND THEIR EMPLOYEES SHALL NOT COLLECT SOLID WASTES IN BALTIMORE CITY BEFORE 7 A.M. NOR AFTER 9 11 P.M. ON ANY DAY (MONDAY THROUGH SUNDAY, INCLUDING HOLIDAYS); EXCEPT THAT COLLECTIONS MAY BE MADE AT ANY TIME FROM BUSINESS ESTABLISHMENTS SUCH AS COMMERCIAL, INDUSTRIAL, INSTITUTIONAL OR OTHER NONRESIDENTIAL USE STRUCTURES PROVIDED THAT THERE IS NO RESIDENTIAL STRUCTURE WITHIN 100 FEET OF THE SOLID WASTE COLLECTION POINT. THE COMMISSIONER MAY WAIVE THESE PROVISIONS IN THE EVENT OF A CIVIL EMERGENCY.

(G) EACH DRIVER OF A SOLID WASTE COLLECTION VEHICLE OPERATED UNDER A PERMIT ISSUED UNDER THIS SUBTITLE SHALL KEEP A DAILY LOG WHICH SHALL INCLUDE:

- (1) EACH LOCATION FROM WHICH SOLID WASTE WAS COLLECTED;
- (2) THE GENERAL NATURE OF THE SOLID WASTE COLLECTED;
- (3) THE NAME OF THE CUSTOMER FROM WHOM THE WASTE WAS COLLECTED; AND
- (4) THE TIME AND PLACE OF DISPOSAL OF THE SOLID WASTE.

THIS LOG SHALL BE OPEN TO INSPECTION BY THE COMMISSIONER OR HIS AGENT DURING REGULAR BUSINESS HOURS.

270. INSPECTIONS; PERMIT REVOCATION.

(A) A REPRESENTATIVE OF THE COMMISSIONER SHALL MAKE SUCH INSPECTIONS OF REFUSE STORAGE CONTAINERS AND REFUSE COLLECTION VEHICLES AS SET BY RULE AND REGULATION OR AS THE INSPECTOR DEEMS FIT. INSPECTIONS MAY ALSO RESULT FROM WRITTEN COMPLAINTS MADE BY TWO OR MORE PERSONS OF DIFFERENT HOUSEHOLDS THAT A PERMIT-HOLDER IS IN VIOLATION OF ONE OF THE PROVISIONS OF SECTION 269 ABOVE.

(B) IF AN APPLICANT OR ANY OTHER PERSON HAS VIOLATED ANY OF THE TERMS OF THE APPLICANT'S LICENSE OR ANY REGULATIONS ADOPTED PURSUANT TO THIS SUBTITLE, THEN THE INSPECTOR SHALL INFORM THE

VIOLATOR IN WRITING OF THE NUISANCE OR HAZARD THAT EXISTS AND ALLOW THE APPLICANT REASONABLE TIME TO CORRECT THE VIOLATIONS.

(C) IF THE VIOLATOR FAILS TO MAKE THE NECESSARY CORRECTIONS, THEN THE COMMISSIONER OF HEALTH SHALL HAVE THE AUTHORITY TO REVOKE THE PERMIT ISSUED PURSUANT TO THIS SUBTITLE.

271. HEARINGS.

(A) ANY PERSON WHO IS ACCUSED OF VIOLATING THE PROVISIONS OF THIS SUBTITLE, THE PROVISIONS OF HIS OR HER PERMIT OR THE RULES AND REGULATIONS ADOPTED PURSUANT TO THIS SUBTITLE, SHALL BE ENTITLED TO A HEARING. A REQUEST FOR A HEARING SHALL BE IN WRITING AND DIRECTED TO THE COMMISSIONER OF HEALTH. A HEARING SHALL BE HELD AS SOON AS POSSIBLE THEREAFTER AND SHALL BE CONDUCTED INFORMALLY BEFORE THE COMMISSIONER OR HIS AGENT. THE RESULTS OF THE HEARING SHALL BE IN THE FORM OF WRITTEN FINDINGS OF FACT AND CONCLUSIONS OF LAW.

(B) FAILURE TO REQUEST A HEARING WITHIN 30 DAYS AFTER THE VIOLATOR RECEIVES NOTICE OF HIS VIOLATIONS SHALL CONSTITUTE A WAIVER OF THE RIGHT TO A HEARING.

272. PENALTIES.

ANY PERSON VIOLATING ANY PROVISION OF THIS SUBTITLE SHALL BE DEEMED GUILTY OF A MISDEMEANOR AND, UPON CONVICTION THEREOF, SHALL BE FINED NOT MORE THAN \$500. IF ANY VIOLATION BE CONTINUING, EACH DAY'S VIOLATION SHALL BE DEEMED A SEPARATE VIOLATION.

SEC. 2. AND BE IT FURTHER ORDAINED, That, the provisions of this Ordinance are severable, and if any provisions, sentence, clause, section or part hereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this ordinance or its application to other persons or circumstances. It is hereby declared to be the legislative intent that this Ordinance would have been adopted if such illegal, invalid or unconstitutional provision, sentence, clause, section or part had not been included herein, and if the person or circumstances to which this Ordinance or any part thereof is inapplicable had been specifically exempted herefrom.

SEC. 3. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect on July-17-1988 SEPTEMBER 30, 1988.

July 6, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 145

(Council No. 182)

AN ORDINANCE concerning

ZONING - APPROVAL FOR CONDITIONAL USE
PARKING LOT

FOR purpose of granting permission for the establishment, maintenance and operation of an open off-street parking area on the properties known as southwest corner of 29th Street and Greenmount Avenue as outlined in red on the plats accompanying this ordinance.

BY authority of
Article 30 - Zoning
Section(s) 4.7-1d and 11.0-6d
Baltimore City Code (1983 Replacement Volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission is hereby granted for the establishment, maintenance and operation of an open off-street parking area on the properties known as southwest corner of 29th Street and Greenmount Avenue as outlined in red on the plats accompanying this ordinance, under the provisions of Section(s) 4.7-1d and 11.0-6d of Article 30 of the Baltimore City Code (1983 Replacement Volume, as amended), title "Zoning".

SEC. 2. AND BE IT FURTHER ORDAINED, That upon passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof and in order to give notice to the departments which are administering the Zoning Ordinance, the President of the City Council shall sign the plat and when the Mayor approves the ordinance, he shall sign the plat. The Director of Finance shall then transmit a copy of the ordinance and one of the plats to the following: the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of the Department of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SEC. 3. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th day after the date of its enactment.

July 6, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 146

(Council No. 186)

AN ORDINANCE concerning

URBAN RENEWAL - JOHNSTON SQUARE - AMENDMENT NO. 6

FOR the purpose of amending the Urban Renewal Plan for Johnston Square to, among other things, authorize the acquisition of certain properties in the 1100 block of Aisquith Street, the 1200 and 1300 blocks of E. Biddle Street, the 1100 block of N. Central Avenue, the 800, 1200, and 1300 blocks of E. Chase Street, the 800 block of E. Eager Street, the 1000 block of Homewood Avenue, and the 1100 block of Somerset Street by the Mayor and City Council of Baltimore; recommend the closing of certain alleys; provide that the procedures for the closing of said alleys will be regulated by applicable laws and regulations; create and expand disposition lots for Residential use; ~~revise the Community Business and Community Commercial land use categories to exclude private clubs as a permitted use; change the land use to Residential and recommend a zoning district change to R-8 for certain properties on the west side of the 1000 block of Homewood Avenue and provide that the approval of this Ordinance shall not be construed as enactment of such zoning change;~~ revise certain Appendix and Exhibits attached to the Urban Renewal Plan to reflect the changes provided herein; waive such requirements, if any, as to content or procedure of the preparation, adoption, and approval of renewal plans as set forth in Article 13 of the Baltimore City Code which the Urban Renewal Plan for Johnston Square may not meet; provide for the separability of the various parts and applications of this Ordinance; provide that where the provisions of this Ordinance shall conflict with any other ordinance in force in the City of Baltimore, the provision which establishes the higher standard shall prevail; and provide for an effective date hereof.

WHEREAS, An Urban Renewal Plan for Johnston Square was first approved by the Mayor and City Council of Baltimore by Ordinance No. 357, dated June 27, 1977, and amended by Ordinance 703, dated April 25, 1978, Ordinance 1110, dated June 27, 1979, Ordinance 342, dated June 19, 1981, Ordinance 771, dated September 1, 1982, and Ordinance 569, dated December 13, 1985; and

WHEREAS, It is necessary to amend the Urban Renewal Plan for Johnston Square to acquire certain blighted properties in the 1000 block of Homewood Avenue, the 800 block of Eagar Street, the 1100 blocks of Aisquith Street, Central Avenue, and Somerset Street, and the 1200 and 1300 blocks of Biddle and Chase Streets to allow for new construction of low and moderate income housing; acquire certain vacant structures on the odd side of the 800 block of Chase Street for residential rehabilitation; ~~change-the land-use-to-Residential-and-recommend-a-zoning-district-change-to R-8-for-the-west-side-of-the-1000-block-of-Homewood-Avenue,-and exclude-private-clubs-from-the-list-of-permitted-uses-in-the Community-Business-and-Community-Commercial-land-use-categories;~~ and

WHEREAS, pursuant to Article 13 of the Baltimore City Code (1983 Replacement Volume, as amended), no substantial change or changes shall be made in any renewal plan, after approval by ordinance, without such change or changes first being adopted and approved in the same manner as set forth in said Article 13 for the approval of a renewal plan, namely the preparation of such change or changes by the Department of Housing and Community Development, the approval of such change or changes by the Director of the Department of Planning, and approval and adoption by an ordinance of the Mayor and City Council of Baltimore after a public hearing in relation thereto, all in the manner set forth in said Article 13; and

WHEREAS, The Department of Housing and Community Development has prepared a list of changes to the Renewal Plan for Johnston Square, known as Amendment No. 6 to the Urban Renewal Plan for Johnston Square, dated March 3, 1988 and revised June 9, 1988; and

WHEREAS, Said Amendment No. 6 to the Urban Renewal Plan for Johnston Square has been approved by the Director of the Department of Planning with respect to its conformity as to the Master Plan, the detailed location of any public improvements proposed in the amended Renewal Plan, its conformity to the rules and regulations for subdivisions, and all zoning changes proposed in the amended Renewal Plan; and said Amendment No. 6 has been approved and recommended to the Mayor and City Council of Baltimore by the Commissioner of the Department of Housing and Community Development; now, therefore,

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the amended Urban Renewal Plan for Johnston Square, identified as "Urban Renewal Plan Johnston Square . . . revised to include Amendment No. 6, dated March 3, 1988 and revised June 9, 1988", having been duly reviewed and considered, is hereby approved and the Clerk of the City Council is hereby directed to file a copy of said amended Urban Renewal Plan with the Department of Legislative Reference as a permanent public record and to make the same available for public inspection and information.

SEC. 2. AND BE IT FURTHER ORDAINED, That it is necessary to acquire, by purchase or by condemnation, for urban renewal purposes, the fee simple interest or any lesser interest in and to certain properties or portions thereof, together with all right, title, interest and estate that the owner or owners of said property interests may have in all streets, alleys, ways or lanes, public or private, both abutting the whole area described and/or contained within the perimeter of said area, situate in Baltimore City, Maryland, and described as follows:

1107/17 Aisquith Street
1119 Aisquith Street
1121 Aisquith Street
1123 Aisquith Street

1211 E. Biddle Street
1213 E. Biddle Street
1215 E. Biddle Street
1217 E. Biddle Street
1219 E. Biddle Street
1221 E. Biddle Street
1223 E. Biddle Street
1225 E. Biddle Street
1227 E. Biddle Street
1229 E. Biddle Street
1231/35 E. Biddle Street
1237 E. Biddle Street
1301 E. Biddle Street
1303 E. Biddle Street

1105/07 N. Central Avenue
1113 N. Central Avenue

803 E. Chase Street
817 E. Chase Street
835 E. Chase Street
839 E. Chase Street
1224 E. Chase Street
1226 E. Chase Street
1228 E. Chase Street
1230 E. Chase Street
1234 E. Chase Street
1306 E. Chase Street
1308 E. Chase Street
1310 E. Chase Street

800 E. Eager Street
802/06 E. Eager Street
808 E. Eager Street
810 E. Eager Street
812 E. Eager Street
814 E. Eager Street
816 E. Eager Street
818 E. Eager Street
820 E. Eager Street

822 E. Eager Street
824 E. Eager Street
826 E. Eager Street
828 E. Eager Street
830 E. Eager Street

1013 Homewood Avenue
1015 Homewood Avenue
1017 Homewood Avenue
1019 Homewood Avenue
1021 Homewood Avenue
1023 Homewood Avenue
1025 Homewood Avenue
1027 Homewood Avenue
1029 Homewood Avenue
1031 Homewood Avenue
1033 Homewood Avenue
1035 Homewood Avenue
1102/08 Somerset Street
1110 Somerset Street
1112 Somerset Street
1114 Somerset Street
1116 Somerset Street
1118 Somerset Street
1120 Somerset Street
1122 Somerset Street

Lot 64A, Block 1174, Section 13, Ward 10 - property on the east side of the first 10 foot alley west of Somerset Street, rear of 1122 Somerset Street

SEC. 3. AND IT BE FURTHER ORDAINED, That the Real Estate Acquisition Division of the Department of the Comptroller, or such person or persons and in such manner as the Board of Estimates, in the exercise of the power vested in it by Article V, Section 5, of the Baltimore City Charter, may hereafter from time to time designate, is or are authorized to acquire on behalf of the Mayor and City Council of Baltimore, and for the purposes described in this Ordinance, the fee simple interest or any lesser interest in and to the properties or portions thereof hereinabove mentioned. If the said Division, person or persons is or are unable to agree with the owner or owners on the purchase price for said properties or portions thereof, it or they shall forthwith notify the City Solicitor of Baltimore City, who shall thereupon institute in the name of the Mayor and City Council of Baltimore the necessary legal proceedings to acquire by condemnation the fee simple interest or any lesser interest in and to said properties or portions thereof.

SECTION 4. AND BE IT FURTHER ORDAINED, That it is hereby recommended that the 10 foot alley to the rear of 1013-1035 Homewood Avenue and certain other alleys be closed in connection with the new residential development, as shown on Exhibit 1 - Land Use Plan, and on Exhibit 3 - Land Disposition, both dated as revised 3/3/88 and/or 6/7/88.

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SEC. 5. AND BE IT FURTHER ORDAINED, That the proceedings of the Department of Public Works, with reference to the closing of said alleys and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1964 Revision, as amended), and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SEC. 6. AND BE IT FURTHER ORDAINED, That certain existing Residential disposition lots shall be expanded and new Residential disposition lots shall be created, all as shown in the amended Urban Renewal Plan in Appendix A - Properties for Acquisition and Disposition for Rehabilitation, and on Exhibit 3, Land Disposition Map, dated as revised 3/3/88 and/or 6/7/88.

~~SEC. 7. AND BE IT FURTHER ORDAINED, That the revisions to the list of permitted uses under the Community Business and Community Commercial land use categories in Sections B-1-d- and B-1-e- of the amended Urban Renewal Plan to exclude private clubs are hereby approved.~~

~~SEC. 8. AND BE IT FURTHER ORDAINED, That the land use change from Community Commercial to Residential for the properties on the west side of the 1000 block of Homewood Avenue, known as 710 E. Bager Street, 1020-1042 Homewood Avenue, and 1025-1037 Hubbard Alley, is hereby approved, however, the approval of Amendment No. 6 to the Urban Renewal Plan for Johnston Square shall not be construed as an enactment of the amendment to the Zoning Ordinance of Baltimore City whereby R-8 zoning is recommended for these properties --- as shown in the amended Urban Renewal Plan on Exhibit 4 --- Zoning Districts, as dated revised 3/3/88.~~

SEC. 9 7. AND BE IT FURTHER ORDAINED, That the following revised Appendix and Exhibits are hereby approved: Appendix A - Properties for Acquisition and Disposition for Rehabilitation; Exhibit 1 - Land Use Plan; Exhibit 2 - Property Acquisition; Exhibit 3 - Land Disposition; and Exhibit 4 --- Zoning Districts, and all Exhibits dated as revised 3/3/88 and or 6/9/88.

SEC. ~~10~~ 8. AND BE IT FURTHER ORDAINED, That in whatever respect, if any, the said amended Renewal Plan approved hereby may not meet the requirements as to the content of a renewal plan or the procedures for the preparation, adoption, and approval of renewal plans, as provided in Article 13 of the Baltimore City Code (1983 Replacement Volume, as amended), the said requirements are hereby waived and the amended Renewal Plan approved hereby is exempted therefrom.

SEC. ~~11~~ 9. AND BE IT FURTHER ORDAINED, That in the event it be judicially determined that any word, phrase, clause, sentence, paragraph, section or part in or of this Ordinance, or the

application thereof to any person or circumstances is invalid, the remaining provisions and the application of such provisions to other persons or circumstances shall not be affected thereby, the Mayor and City Council hereby declaring that they would have ordained the remaining provisions of this Ordinance without the word, phrase, clause, sentence, paragraph, section or part, or the application thereof so held invalid.

SEC. 12 10. AND BE IT FURTHER ORDAINED, That in any case where a provision of this Ordinance concerns the same subject matter as an existing provision of any zoning, building, electrical, plumbing, health, fire or safety ordinance or code or regulation, the applicable provisions concerned shall be construed so as to give effect to each; provided, however, that if such provisions are found to be in irreconcilable conflict, the provision which establishes the higher standard for the promotion of the public health and safety shall prevail. In any case where a provision of this Ordinance is found to be in conflict with an existing provision of any other ordinance or code or regulation in force in the City of Baltimore which establishes a lower standard for the promotion and protection of the public health and safety, the provision of this Ordinance shall prevail, and the other existing provision of such other ordinance or code or regulation is hereby repealed to the extent that it may be found in conflict with this Ordinance.

SEC. 13 11. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect from the date of its passage.

July 6, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 147

(Council 190)

AN ORDINANCE concerning

CITY STREET - OPENING OF
AN 8 FOOT ALLEY

FOR the purpose of condemning and opening of an 8 Foot Alley, laid out 82 feet north of Mulberry Street, extending from Greene Street easterly to Diamond Street and lying within Market Center West Urban Renewal Project in accordance with a plat thereof numbered 307-A-12V, prepared by the Surveys and Records Division and filed in the Office of the Department of Public Works, on the Sixteenth (16th) day of March.

BY authority of

Article I - General Provisions

Section - 4

Article II - General Powers

Sections 2, 34, 35

Baltimore City Charter (1964 Revision, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works be, and it is hereby authorized and directed to condemn and open an 8 Foot Alley, laid out 82 feet north of Mulberry Street, extending from Greene Street easterly to Diamond Street and lying within Market Center West Urban Renewal Project the 8 Foot Alley hereby directed to be condemned for said opening being described as follows:

Beginning for the same at the point formed by the intersection of the south side of an 8 Foot Alley, laid out 82 feet north of Mulberry Street, 49.5 feet wide, and the east side of Greene Street, 66 feet wide, and running thence binding on the east side of said Greene Street, Northerly 8.0 feet to intersect the north side of said 8 Foot Alley; thence binding on the north side of said 8 Foot Alley, Easterly 144 feet, more or less, to intersect the west side of Diamond Street, 20 feet wide; thence binding on the west side of said Diamond Street, Southerly 8.0 feet to intersect the south side of said 8 Foot Alley and thence binding on the south side of said 8 Foot Alley, Westerly 144 feet, more or less, to the place of beginning.

The said 8 Foot Alley as directed to be condemned being more particularly described and referred to among the Land Records of Baltimore City and delineated and particularly shown on a plat numbered 307-A-12V which was filed in the Office of the Department of Public Works on the Sixteenth (16th) day of March, in the year 1988, and is now on file in said Office.

SEC. 2. AND BE IT FURTHER ORDAINED, That the proceedings of said Department of Public Works, with reference to the condemnation and opening of said 8 Foot Alley and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Baltimore City Charter (1964 Revision, as amended) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SEC. 3. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect on the date of its enactment.

July 6, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 148

(Council No. 191)

AN ORDINANCE concerning

CITY STREET - CLOSING OF
AN 8 FOOT ALLEY

FOR the purpose of condemning and closing of an 8 Foot Alley, laid out 82 feet north of Mulberry Street, extending from Greene Street easterly to Diamond Street and lying within Market Center West Urban Renewal Project, in accordance with a plat thereof numbered 307-A-12W, prepared by the Surveys and Records Division and filed in the Office of the Department of Public Works, on the Sixteenth (16th) day of March, 1988.

BY authority of

Article I - General Provisions
Section - 4

Article II - General Powers
Sections 2, 34, 35

Baltimore City Charter (1964 Revision, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works be, and it is hereby authorized and directed to condemn and close an 8 Foot Alley, laid out 82 feet north of Mulberry Street, extending from Greene Street easterly to Diamond Street and lying within Market Center West Urban Renewal Project, the 8 Foot Alley hereby directed to be condemned for said closing being described as follows:

Beginning for the same at the point formed by the intersection of the south side of an 8 Foot Alley, laid out 82 feet north of Mulberry Street, 49.5 feet wide, and the east side of Greene Street, 66 feet wide, and running thence binding on the east side of said Greene Street, Northerly 8.0 feet to intersect the north side of said 8 Foot Alley; thence binding on the north side of said 8 Foot Alley, Easterly 144 feet, more or less, to intersect the west side of Diamond Street, 20 feet wide; thence binding on the west side of said Diamond Street, Southerly 8.0 feet to intersect the south side of said 8 Foot Alley and thence binding on the south side of said 8 Foot Alley, Westerly 144 feet, more or less, to the place of beginning.

The said 8 Foot Alley as directed to be condemned being more particularly described and referred to among the Land Records of Baltimore City and delineated and particularly shown on a plat numbered 307-A-12W which was filed in the Office of the Department of Public Works on the Sixteenth (16th) day of March, in the year 1988, and is now on file in said Office.

SEC. 2. AND BE IT FURTHER ORDAINED, That after said highway or highways shall have been closed under the provisions of this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, shall be and continue to be the property of the Mayor and City Council of Baltimore, in fee simple, until the use thereof shall be abandoned by the Mayor and City Council of Baltimore, and in the event that any person, firm or corporation shall desire to remove, alter or interfere therewith, such person, firm or corporation shall first obtain permission and permits therefor from the Mayor and City Council of Baltimore, and shall in the application for such permission and permits agree to pay all costs and charges of every kind and nature made necessary by such removal, alteration or interference.

SEC. 3. AND BE IT FURTHER ORDAINED, That no buildings or structures of any kind shall be constructed or erected in said portion of said highway or highways after the same shall have been closed under the provisions of this Ordinance until the subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, over which said buildings or structures are proposed to be constructed or erected shall have been abandoned or shall have been removed and relaid in accordance with the specifications and under the direction of the Director of Public Works of Baltimore City, and at the expense of the person or persons or body corporate desiring to erect such buildings or structures. Railroad tracks shall be taken to be "structures" within the meaning of this section.

SEC. 4. AND BE IT FURTHER ORDAINED, That after said highway or highways shall have been closed under the provisions of this Ordinance, all subsurface structures and appurtenances owned by any person, firm or corporation, other than the Mayor and City Council of Baltimore, shall upon notice from the Director of Public Works of Baltimore City, be promptly removed by and at the expense of the said owners.

SEC. 5. AND BE IT FURTHER ORDAINED, That on and after the closing of said highway or highways, the said Mayor and City Council of Baltimore, acting through its duly authorized representatives, shall, at all times, have access to said property and to all subsurface structures and appurtenances used by it therein, for the purposes of inspection, maintenance, repair, alteration, relocation and/or replacement, of any or all of said structures and appurtenances, and this without permission from or compensation to the owner or owners of said land.

SEC. 6. AND BE IT FURTHER ORDAINED, That the proceedings of said Department of Public Works with reference to the condemnation and closing of said 8 Foot Alley and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Baltimore City Charter (1964 Revision, as amended), and any and all other Acts of the General Assembly

of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SEC. 7. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect on the date of its enactment.

July 6, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO.149

(Council No. 196)

AN ORDINANCE concerning

ISSUANCE OF REVENUE OBLIGATIONS FOR WATER PROJECTS

FOR purpose of increasing the maximum aggregate principal amount of Revenue Obligations authorized to be issued by the Mayor and City Council of Baltimore pursuant to Ordinance No. 866 (Bill No. 1323) of the Mayor and City Council of Baltimore (approved and effective January 14, 1983) as amended by Ordinance No. 343 (Bill No. 418) of the Mayor and City Council of Baltimore (approved and effective April 10, 1985) as amended by Ordinance No. 871 (Bill No. 1424) of the Mayor and City Council of Baltimore (approved and effective February 26, 1987) from not exceeding Forty-eight Million Dollars (\$48,000,000), to not exceeding Fifty-seven Million Dollars (\$57,000,000).

BY amending paragraph (A) of Section 2 of Ordinance No. 866 (Bill No. 1323) of the Mayor and City Council of Baltimore (approved and effective on January 14, 1983).

RECITALS

Ordinance No. 866 (Bill No. 1323) (the "Ordinance") of the Mayor and City Council of Baltimore (the "City"), approved by the Mayor of the City and effective January 14, 1983, authorizes the issuance from time to time by the City of its Revenue Obligations (as defined in the Ordinance) (the "Revenue Obligations") in order to finance Water Facilities (as defined in the Ordinance) (the "Water Facilities") to be located within the geographical limits of the City.

Because of certain events that have occurred since the passage of the Ordinance which affect the aggregate principal amount of Revenue Obligations which may be required to be issued by the City in order to finance Water Facilities, including (without limitation) an increase in the number of Water Facilities which the City may desire to finance with the

proceeds of the sale of Revenue Obligations, the City wishes to enact this supplemental ordinance to increase to Fifty-seven Million Dollars (\$57,000,000) the aggregate principal amount of its Revenue Obligations that may be issued under the Ordinance.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That paragraph (A) of Section 2 of Ordinance No. 866 (Bill No. 1323) of the Mayor and City Council of Baltimore, approved and effective January 14, 1983, be and hereby is amended to read as follows:

"(A) The issuance, sale and delivery of an aggregate principal amount of Revenue Obligations which, when issued, will result in receipt by the City (inclusive of Costs of Issuance, as defined herein) of not exceeding [Forty-eight Million Dollars (\$48,000,000)] FIFTY-SEVEN MILLION DOLLARS (\$57,000,000) is hereby authorized for the general public purposes of financing the cost of the Financed Facilities and repaying the City for amounts expended on Financed Facilities in anticipation of the issuance of the Revenue Obligations. This maximum amount may consist of (i) Revenue Notes, (ii) Revenue Bonds, (iii) Refunding Revenue Notes, (iv) Refunding Revenue Bonds, or (v) any combination of items (i) to (iv) above. Any Refunding Obligations issued hereunder to refund any Revenue Obligations previously issued hereunder shall replace that portion of the authorized amount of Revenue Obligations previously issued and shall not be deemed to reduce the maximum authorized amount of Revenue Obligations permitted to be issued hereunder."

SEC. 2. AND BE IT FURTHER ORDAINED, That Ordinance No. 866 (Bill No. 1323) of the Mayor and City Council of Baltimore, approved and effective January 14, 1983, as amended by Ordinance No. 343 (Bill No. 418) of the Mayor and City Council of Baltimore (approved and effective April 10, 1985), as amended by Ordinance No. 871 (Bill No. 1424) of the Mayor and City Council of Baltimore (approved and effective February 26, 1987), and as amended by this ordinance, shall remain in full force and effect.

SEC. 3. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

July 6, 1988

KURT L. SCHMOKE, Mayor

AT COLLEGE PARK LIBRARIES

ORDINANCE NO. 150

(Council No. 197)

AN ORDINANCE concerning

ISSUANCE OF REVENUE OBLIGATIONS FOR WASTEWATER PROJECTS

FOR purpose of increasing the maximum aggregate principal amount of Revenue Obligations authorized to be issued by the Mayor and City Council of Baltimore pursuant to Ordinance No. 867 (Bill No. 1324) of the Mayor and City Council of Baltimore (approved and effective January 14, 1983) as amended by Ordinance No. 344 (Bill No. 419) of the Mayor and City Council of Baltimore (approved and effective April 10, 1985) as amended by Ordinance No. 872 (Bill No. 1425) of the Mayor and City Council of Baltimore (approved and effective February 26, 1987) from not exceeding Forty-six Million Dollars (\$46,000,000), to not exceeding Fifty-four Million Dollars (\$54,000,000).

BY amending paragraph (A) of Section 2 of Ordinance No. 867 (Bill No. 1324) of the Mayor and City Council of Baltimore (approved and effective on January 14, 1983).

RECITALS

Ordinance No. 867 (Bill No. 1324) (the "Ordinance") of the Mayor and City Council of Baltimore (the "City"), approved by the Mayor of the City and effective January 14, 1983, authorizes the issuance from time to time by the City of its Revenue Obligations (as defined in the Ordinance) (the "Revenue Obligations") in order to finance Wastewater Facilities (as defined in the Ordinance) (the "Wastewater Facilities") to be located within the geographical limits of the City.

Because of certain events that have occurred since the passage of the Ordinance which affect the aggregate principal amount of Revenue Obligations which may be required to be issued by the City in order to finance Wastewater Facilities, including (without limitation) an increase in the number of Wastewater Facilities which the City may desire to finance with the proceeds of the sale of Revenue Obligations, the City wishes to enact this supplemental ordinance to increase to Fifty-four Million Dollars (\$54,000,000) the aggregate principal amount of its Revenue Obligations that may be issued under the Ordinance.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That paragraph (A) of Section 2 of Ordinance No. 867 (Bill No. 1324) of the Mayor and City Council of Baltimore, approved and effective January 14, 1983, be and hereby is amended to read as follows:

"(A) The issuance, sale and delivery of an aggregate principal amount of Revenue Obligations which, when issued, will

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result in receipt by the the City (inclusive of Costs of Issuance, as defined herein) of not exceeding [Forty-six Million Dollars (\$46,000,000)] FIFTY-FOUR MILLION DOLLARS (\$54,000,000) is hereby authorized for the general public purposes of financing the cost of the Financed Facilities and in repaying the City for amounts expended on Financed Facilities) in anticipation of the issuance of the Revenue Obligations. This maximum amount may consist of (i) Revenue Notes, (ii) Revenue Bonds, (iii) Refunding Revenue Notes, (iv) Refunding Revenue Bonds, or (v) any combination of items (i) to (iv) above. Any Refunding Obligations issued hereunder to refund any Revenue Obligations previously issued hereunder shall replace that portion of the authorized amount of Revenue Obligations previously issued and shall not be deemed to reduce the maximum authorized amount of Revenue Obligations permitted to be issued hereunder."

SEC. 2. AND BE IT FURTHER ORDAINED, That Ordinance No. 867 (Bill No. 1324) of the Mayor and City Council of Baltimore, approved and effective January 14, 1983, as amended by Ordinance No. 344 (Bill No. 419) of the Mayor and City Council of Baltimore, approved and effective April 10, 1985), as amended by Ordinance No. 872 (Bill No. 1425) of the Mayor and City Council of Baltimore (approved and effective February 26, 1987), and as amended by this ordinance, shall remain in full force and effect.

SEC. 3. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

July 6, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 151

(Council No. 198)

AN ORDINANCE concerning

URBAN RENEWAL - GREENMOUNT WEST -
AMENDMENT NO. 3

FOR the purpose of amending the Urban Renewal Plan for Greenmount West to, among other things, authorize the acquisition of certain properties in the 1700 and 1800 blocks of Greenmount Avenue, the 1700 block of Brentwood Avenue, the 400 block of E. Lafayette Avenue, and the 300 block of McAllister Street by the Mayor and City Council of Baltimore; recommend the closing of certain alleys; provide that the procedures for the closing of said alleys will be regulated by applicable laws and regulations; expand or create certain disposition lots; make certain land use changes in the 400 block of E. North Avenue, the 1800 block of Greenmount Avenue, and the 300 block of McAllister Street; revise the permitted uses under the Community Business and Community Commercial

categories to exclude certain uses; recommend certain zoning district changes at the southwest corner of E. North and Greenmount Avenues and provide that the approval of this Ordinance shall not be construed as an enactment of said zoning district changes; revise certain Appendix and Exhibits attached to the Plan to reflect changes proposed herein; waive such requirements, if any, as to content or procedure for the preparation, adoption, and approval of renewal plans as set forth in Article 13 of the Baltimore City Code which the amended Plan may not meet; provide for the separability of the various parts and the applications of this Ordinance; provide that where the provisions of this Ordinance shall conflict with any other ordinance, code or regulation in force in the City of Baltimore, the provision which establishes the higher standard shall prevail; and provide for an effective date hereof.

WHEREAS, an Urban Renewal Plan for Greenmount West was originally approved by the Mayor and City Council of Baltimore by Ordinance No. 699, dated April 17, 1978 and amended by Ordinance No. 261, dated March 26, 1981 and Ordinance No. 626, dated March 13, 1986; and

WHEREAS, it is necessary to amend the Urban Renewal Plan for Greenmount West to acquire properties in the 1700 and 1800 blocks of Greenmount Avenue, the 1700 block of Brentwood Avenue, and the 400 block of E. Lafayette Avenue to remove blighting influences and recommend the closing of certain adjacent alleys to provide opportunity for office-residential and residential reuses; change the land use and recommend zoning changes to Office-Residential (O-R-2) for properties generally at the southwest corner of North and Greenmount Avenues; provide for off-street parking at the rear of the 300 block of E. North Avenue by taking a small portion of the public park at 315 McAllister Street; exclude certain uses from the Community Business and Community Commercial land use categories at the request of the Greenmount West Community Planning Association; and designate certain properties sold by the Department of Housing and Community Development for residential rehabilitation; and

WHEREAS, pursuant to Article 13 of the Baltimore City Code (1983 Replacement Volume, as amended), no substantial change or changes shall be made in any renewal plan, after approval by ordinance, without such change or changes first being adopted and approved in the same manner as set forth in said Article 13 for the approval of a renewal plan, namely the preparation of such change or changes by the Department of Housing and Community Development, the approval of such change or changes by the Director of the Department of Planning, and approval and adoption by an ordinance of the Mayor and City Council of Baltimore after a public hearing in relation thereto, all in the manner set forth in said Article 13; and

WHEREAS, extensive changes in the Urban Renewal Plan make it infeasible to make line-by-line changes; therefore, the Department of Housing and Community Development has prepared an amended Urban Renewal Plan for Greenmount West; and

WHEREAS, said amended Urban Renewal Plan for Greenmount West has been approved by the Department of Planning with respect to its conformity as to the Master Plan, the detailed location of any public improvements proposed in the amended Renewal Plan, its conformity to the rules and regulations for subdivisions, and all zoning changes proposed in the amended Renewal Plan; and said amended Renewal plan has been approved and recommended to the Mayor and City Council of Baltimore by the Commissioner of the Department of Housing and Community Development; now, therefore,

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the amended Urban Renewal Plan for Greenmount West, identified as "Urban Renewal Plan, Greenmount West ... revised to include Amendment No. 3, dated February 10, 1988", is hereby approved and the Clerk of the City Council is hereby directed to file a copy of said amended Urban Renewal Plan with the Department of Legislative Reference as a permanent public record and make the same available to public inspection and information.

SEC. 2. AND BE IT FURTHER ORDAINED, That it is necessary to acquire, by purchase or by condemnation, for urban renewal purposes, the fee simple interest or any lesser interest in and to certain properties or portions thereof, together with all right, title, interest and estate that the owner or owners of said property interests may have in all streets, alleys, ways or lanes, public or private, both abutting the whole area described and/or contained within the perimeter of said area, situate in Baltimore City, Maryland, and described as follows:

1701 Brentwood Avenue
1703 Brentwood Avenue
1705 Brentwood Avenue
1707 Brentwood Avenue
1709 Brentwood Avenue
1711 Brentwood Avenue
1713 Brentwood Avenue
1715 Brentwood Avenue
1717 Brentwood Avenue
1719 Brentwood Avenue
1721 Brentwood Avenue
1723 Brentwood Avenue

1712-14 Greenmount Avenue
1824 Greenmount Avenue
1826 Greenmount Avenue
1828 Greenmount Avenue

437 E. Lafayette Avenue
439 E. Lafayette Avenue

315 McAllister Street (front 35 feet, more or less)

SEC. 3. AND BE FURTHER ORDAINED, That the Real Estate Acquisition Division of the Department of the Comptroller, or such person or persons and in such manner as the Board of Estimates, in the exercise of the power vested in it by Article V, Section 5, of the Baltimore City Charter, may hereafter from time to time designate, is or are authorized to acquire on behalf of the Mayor and City Council of Baltimore and for the purposes described in this Ordinance the fee simple interest or any lesser interest in and to the properties or portions thereof hereinabove mentioned. If the said Division, person or persons is or are unable to agree with the owner or owners on the purchase price for said properties or portions thereof, it or they shall forthwith notify the City Solicitor of Baltimore City, who shall thereupon institute in the name of the Mayor and City Council of Baltimore the necessary legal proceedings to acquire by condemnation the fee simple interest or any lesser interest in and to said properties or portions thereof.

SEC. 4. AND BE IT FURTHER ORDAINED, That it is hereby recommended that the following alley be closed:

8 foot alley between 1824 and 1826 Greenmount Avenue
3 foot alley between 1828 Greenmount Avenue and the rear of
429-437 E. North Avenue
10 foot alley at the rear of 1701-1723 Brentwood Avenue

SEC. 5. AND BE IT FURTHER ORDAINED, That the proceedings of the Department of Public Works, with reference to the closing of said alleys and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1964 Revision, as amended), and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SEC. 6. AND BE IT FURTHER ORDAINED, That certain existing disposition lots shall be expanded and new disposition lots shall be created, all as shown in the amended Urban Renewal Plan in Appendix A and on Exhibit 3, Land Disposition Map, dated as revised 2/10/88.

SEC. 7. AND BE FURTHER ORDAINED, That the proposed land use changes in the 400 block of E. North Avenue and the 1800 block of Greenmount Avenue to Office-Residential and in the 300 block of McAllister Street to Residential as shown in the amended Urban Renewal Plan on Exhibit 1, Land Use Plan Map, dated as revised 2/10/88 are hereby approved.

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SEC. 8. AND BE IT FURTHER ORDAINED, That the following revised language in the Urban Renewal Plan under Section B.1.b. "Community Commercial" and B.1.d. "Community Business" is hereby approved:

Community Commercial - In the area designated Community Commercial on the Land Use Plan Map, uses permitted shall be those permitted under the B-3 category of the Zoning Ordinance of Baltimore City, except for the following:

amusement arcades; amusement devices; amusement establishments; amusement parks and carnivals; blood donor centers; bus stations; clubs and lodges; community correction centers; contractor and construction yards; dance halls, drug abuse centers; garages for motor vehicle storage and repairs; homes for the rehabilitation of non-bedridden alcoholics and homeless persons; liquor stores - package goods; massage salons; moving and storage facilities; palmists; parole and probation centers; pawn shops; pool halls; restaurants and lunchrooms including live entertainment and dancing; stables for horses; and taverns.

Community Business - In the area designated Community Business on the Land Use Plan Map, uses permitted shall be those permitted under the B-2 category of the Zoning Ordinance of Baltimore City, except for the following:

amusement arcades; amusement devices; blood donor centers; bus stations; clubs and lodges; community correction centers; dance halls; drug abuse centers; homes for the rehabilitation of non-bedridden alcoholics and homeless persons; liquor stores - package goods; massage salons; parole and probation centers; pawn shops; and taverns.

SEC. 9. AND BE IT FURTHER ORDAINED, That the approval of Amendment No. 3 to the Urban Renewal Plan for Greenmount West shall not be construed as an enactment of the amendments to the Zoning Ordinance of Baltimore City that are proposed generally at the southwest corner of E. North and Greenmount Avenues - as shown in the amended Urban Renewal Plan on Exhibit 4, Zoning Districts Map, dated as revised 2/10/88.

SEC. 10. AND BE IT FURTHER ORDAINED, That the following revised Appendix and Exhibits are hereby approved: Appendix A, Properties for Acquisition and Disposition for Rehabilitation; Exhibit 1, Land Use Plan Map; Exhibit 2, Property Acquisition Map; Exhibit 3, Land Disposition Map; and Exhibit 4, Zoning Districts Map, all Exhibits dated as revised 2/10/88.

SEC. 11. AND BE IT FURTHER ORDAINED, That in whatever respect, if any, the said amended Renewal Plan approved hereby may not meet the requirements as to the content of a renewal plan or the procedures for the preparation, adoption, and approval of renewal plans, as provided in Article 13 of the Baltimore City Code (1983 Replacement Volume, as amended), the said requirements

are hereby waived and the amended Renewal Plan approved hereby is exempted therefrom.

SEC. 12. AND BE IT FURTHER ORDAINED, That in the event it be judicially determined that any word, phrase, clause, sentence, paragraph, section or part in or of this Ordinance, or the application thereof to any person or circumstances is invalid, the remaining provisions and the application of such provisions to other persons or circumstances shall not be affected thereby, the Mayor and City Council hereby declaring that they would have ordained the remaining provisions of this Ordinance without the word, phrase, clause, sentence, paragraph, section or part, or the application thereof so held invalid.

SEC. 13. AND BE IT FURTHER ORDAINED, That in any case where a provision of this Ordinance concerns the same subject matter as an existing provision of any zoning, building, electrical, plumbing, health, fire or safety ordinance or code or regulation, the applicable provisions concerned shall be construed so as to give effect to each; provided, however, that if such provisions are found to be in irreconcilable conflict, the provision which establishes the higher standard for the promotion of the public health and safety shall prevail. In any case where a provision of this Ordinance is found to be in conflict with an existing provision of any other ordinance or code or regulation in force in the City of Baltimore which establishes a lower standard for the promotion and protection of the public health and safety, the provision of this Ordinance shall prevail, and the other existing provision of such other ordinance or code or regulation is hereby repealed to the extent that it may be found in conflict with this Ordinance.

SEC. 14. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect from the date of its passage.

July 6, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 152

(Council No. 201)

AN ORDINANCE concerning

BOND ISSUE - COMMUNITY DEVELOPMENT LOAN

FOR the purpose of authorizing the Mayor and City Council of Baltimore (pursuant to Resolution VII of 1988 approved by the members of the General Assembly of Maryland representing Baltimore City), to issue and sell its certificates of indebtedness to an amount not exceeding Fourteen Million Three Hundred Thousand Dollars (\$14,300,000.00), the proceeds derived from the sale of the same to be used for

the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith, and the remainder of such proceeds shall be used for or in connection with planning, developing, executing, and making operative the Community Development Program of the Mayor and City Council of Baltimore, including, but not limited to, the acquisition, by purchase, lease, condemnation or any other legal means, of land or property, or any right, interest, franchise, easement or privilege therein, in the City of Baltimore; the payment of any and all costs and expenses incurred in connection with or incidental to the acquisition and management of said land or property, including any and all rights or interest therein hereinbefore mentioned; The payment of any and all costs and expenses incurred for or in connection with relocating and moving persons or other legal entities displaced by the acquisition of said land or property, or any of the rights or interest therein hereinbefore mentioned; the development, or redevelopment, including, but not limited to, the comprehensive renovation or rehabilitation of any land or property, or any rights or interests therein hereinbefore mentioned, in the City of Baltimore, and the disposition of land and property for such purposes; the elimination of unhealthful, unsanitary or unsafe conditions, lessening density, eliminating obsolete or other uses detrimental to the public welfare or otherwise removing or preventing the spread of blight or deterioration in the City of Baltimore; the demolition, removal, relocation, renovation or alteration of land, buildings, streets, highways, alleys, utilities or services, and other structures or improvements, and for the construction, reconstruction, installation, relocation or repair of buildings, streets, highways, alleys, utilities or services, and other structures or improvements; the payment of any and all costs and expenses incurred for or in connection with doing any or all of the things herein mentioned, including, but not limited to, the costs and expenses of securing administrative, appraisal, economic analysis, engineering, planning, designing, architectural, surveying, and other professional services; and doing any and all things necessary, proper or expedient in connection with or pertaining to any or all of the matters or things hereinbefore mentioned; limiting the use of the proceeds of the sale of the bonds to expenditures for capital improvement projects having an estimated service life of not less than fifteen (15) years, and providing that such proceed shall not be used for current operating expenses of the City; conferring and imposing upon the Board of Finance of Baltimore City certain powers and duties; authorizing the submission of this Ordinance to the Legal voters of the City of Baltimore, for their approval or disapproval, at the General Election to be held in Baltimore City on Tuesday, the 8th day of November, 1988 and providing for the expenditure of the proceeds of sale of said certificates of indebtedness in accordance with the provisions of the

Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinance of Estimates of the Mayor and City Council of Baltimore.

WHEREAS, By Resolution VII of 1988 approved by the Members of the General Assembly of Maryland representing Baltimore City, the Mayor and City Council of Baltimore is authorized to create a debt and to issue and sell its certificates of indebtedness (hereinafter called "bonds") as evidence thereof, to an amount not exceeding Fourteen Million Three Hundred Thousand Dollars (\$14,300,000.00) in the manner and upon the terms set forth in said Resolution, the proceeds thereof, not exceeding the par value of said certificates ~~or~~ of indebtedness, to be used for or in connection with the Community Development Program of the City of Baltimore; and

WHEREAS, Funds are now needed for said purposes; ~~now~~, therefore,

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Mayor and City Council of Baltimore, acting by and through the Board of Finance of said municipality, be and it is hereby authorized and empowered to issue bonds of the Mayor and City Council of Baltimore to an amount not exceeding Fourteen Million Three Hundred Thousand Dollars (\$14,300,000.00), from time to time, as the same may be needed or required for the purposes hereinafter named and said bonds shall be sold by said Board of Finance from time to time and at such times as shall be requisite, and the proceeds derived from the sale of said bonds shall be used for the purposes hereinafter named, provided that this Ordinance shall not become effective unless it shall be approved by a majority of the votes of the legal voters of Baltimore City cast at the time and place hereinafter designated by this Ordinance.

SEC. 2. AND BE IT FURTHER ORDAINED, That:

(a) Said bonds shall be issued in denominations of not less than One Thousand Dollars (\$1,000.00) each, but may be in sums of One Thousand Dollars (\$1,000.00), or any suitable multiple thereof.

(b) Said bonds, or any part thereof, shall be issued in accordance with a serial maturity plan so worked out as to discharge the entire principal amount represented thereby within not more than forty (40) years from the date of their issuance; provided, however, that it shall not be necessary to provide for the maturity of any part of the principal amount represented by any of said bonds for the first five (5) years from the date of their issuance.

(c) Said bonds, when issued, shall bear interest at such rate or rates as may be determined by a majority of the Board of Finance by resolution at such time or times when any of

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said bonds are issued, and such interest shall be payable semi-annually.

SEC. 3. AND BE IT FURTHER ORDAINED, That a majority of the Board of Finance of the Mayor and City Council of Baltimore be, and they are hereby, authorized to pass a resolution or resolutions, from time to time, to determine and set forth any or all of the following:

(a) The amount of debt to be incurred by the Mayor and City Council of Baltimore at any particular time, and from time to time, under and pursuant to the provisions of this Ordinance; the date or dates when any bonds representing said debt, or any part thereof, are to mature, and the amount or amounts of said debt, or any part thereof, which shall mature upon the aforesaid date or dates; and the semi-annual dates in each year, during the entire period of time when any of said bonds are outstanding, when interest on any of said bonds shall be payable.

(b) The form or forms of the bonds representing the debt, or any part thereof, authorized to be issued under the provisions of this Ordinance at any particular time, including any interest coupons to be attached thereto; the provisions, if any, for the issuance of coupon bonds; the provisions, if any, for the issuance of fully registered bonds; the provisions, if any, for the registration as to principal of any coupon bonds; and the provisions, if any, for the conversion and reconversion into coupon bonds of any fully registered bonds or coupon bonds registered as to principal; the place or places for the payment of principal and interest of said bonds; and the date of said bonds issued at any particular time, and the right of redemption of said bonds by the City prior to maturity; and

(c) The time, place, manner and medium of advertisement of the readiness of the Board of Finance, acting for and on behalf of the Mayor and City Council of Baltimore, to receive bids for the purchase of the bonds authorized to be issued hereunder, or any part thereof; the form, terms and conditions of such bids; the time, place and manner of awarding bonds so bid for, including the right whenever any of the bonds authorized by this Ordinance are offered for sale and sold at the same time as other bonds of said City, to establish the conditions for bids and awards and to award all of said bonds on an all or none basis; and the time, place, terms and manner of settlement for the bonds so bid for.

SEC. 4. AND BE IT FURTHER ORDAINED, That:

(a) All premiums resulting from the sale of any of the bonds issued and sold pursuant to the provisions of this Ordinance shall be applied first to defray the cost of issuance thereof and the balance, if any, shall be applied to the payment of interest on any of said bonds becoming due and payable during the fiscal year in which said bonds are issued and sold or during the next succeeding fiscal year.

(b) The debt authorized by the provisions of this Ordinance, and the bonds issued and sold pursuant thereto and their transfer, and the principal and interest payable thereon (including any profit made in the sale thereof), shall be and remain exempt from any and all State, county and municipal taxation in the State of Maryland.

(c) All bonds issued and sold pursuant to the provisions of this Ordinance shall be sold at public sale to the highest responsible bidder or bidders therefor after due notice of such sale, but the Mayor and City Council of Baltimore, acting by and through the Board of Finance thereof, shall have the right to reject any or all bids therefor for any reason, and thereafter reoffered such bonds at public sale as aforesaid or at private sale provided that if such bonds be offered at private sale they shall be offered for sale and sold for not less than par and accrued interest.

SEC. 5. AND BE IT FURTHER ORDAINED, That until all of the interest on and principal of any bonds issued pursuant to the provisions of this Ordinance have been paid in full, the Mayor and City Council of Baltimore shall levy and impose an annual tax on each One Hundred Dollars (\$100.00) of assessable property in the City of Baltimore at a rate sufficient to produce revenue to pay all interest on and principal of all bonds theretofore issued and outstanding or authorized to be issued and outstanding, payable in the next succeeding year.

SEC. 6. AND BE IT FURTHER ORDAINED, That this Ordinance shall be submitted to the legal voters of the City of Baltimore, for their approval or disapproval, at the General Election to be held in Baltimore City, on Tuesday, the 8th day of November, 1988.

SEC. 7. AND BE IT FURTHER ORDAINED, That prior to the date of the election hereinbefore mentioned, notice shall be given to the public of the amount of money which the Mayor and City Council of Baltimore is authorized to borrow, and the general purposes for which such borrowed funds may be expended, under the terms and provisions of this Ordinance, and the time when the election hereinbefore mentioned is to be held; and such public notice shall be given in such manner and by such means or through such media and at such time or times as may be determined, from time to time, by a majority of the Board of Finance.

SEC. 8. AND BE IT FURTHER ORDAINED, That the actual cash proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance, not exceeding the par value thereof, shall be used exclusively for the following purposes, to wit:

(a) So much thereof as may be necessary, in addition to the premium realized from the sale, if any, for the cost of issuance, including the expense of engraving, printing,

advertising, attorneys' fees, and all other incidental expenses connected therewith; and

(b) The remainder of such proceeds shall be used for or in connection with planning, developing, executing and making operative the Community Development Program of the Mayor and City Council of Baltimore, including, but not limited to:

(i) The acquisition, by purchase, lease, condemnation, or any other legal means, of land or property, or any right, interest, franchise, easement or privilege therein, in the City of Baltimore;

(ii) The payment of any and all costs and expenses incurred in connection with or incidental to the acquisition and management of said land or property, including any and all rights or interest therein hereinbefore mentioned;

(iii) The payment of any and all costs and expenses incurred for or in connection with relocating and moving persons or other legal entities displaced by the acquisition of said land or property, or any of the rights or interests therein hereinbefore mentioned;

(iv) The development or redevelopment, including, but not limited to, the comprehensive renovation or rehabilitation of any land or property, or any rights or interests therein hereinbefore mentioned, in the City of Baltimore, and the disposition of land and property for such purposes;

(v) The elimination of unhealthful, unsanitary or unsafe conditions, lessening density, eliminating obsolete or other uses detrimental to the public welfare or otherwise removing or preventing the spread of blight or deterioration in the City of Baltimore;

(vi) The demolition, removal, relocation, renovation or alteration of land, buildings, streets, highways, alleys, utilities or services, and other structures or improvements, and for the construction, reconstruction, installation, relocation or repair of buildings, streets, highways, alleys, utilities or services, and other structures or improvements;

(vii) The payment of any and all costs and expenses incurred for or in connection with doing any or all of the things herein mentioned, including, but not limited to, the costs and expenses of securing administrative, appraisal, economic analysis, engineering, planning, designing, architectural, surveying and other professional services; and

(viii) Doing any and all things necessary, proper or expedient in connection with or pertaining to any or all the matters or things hereinbefore mentioned.

AT COLLEGE PARK LIBRARIES

All of such land or property shall be acquired, developed, redeveloped, renovated, rehabilitated, altered, improved, held or disposed of, as provided by law.

(c) The use of the proceeds of the sale of the bonds shall be limited to expenditures for capital improvement projects having an estimated service life of not less than fifteen (15) years, and such proceeds shall not be used for current operating expenses of the City.

SEC. 9. AND BE IT FURTHER ORDAINED, That the expenditure of the proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance shall be in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinance of Estimates of the Mayor and City Council of Baltimore.

July 6, 1988

KURT L. SCHMOKE, Mayor

ENROLLED

ORDINANCE NO. 153

(Council No. 218)

AN ORDINANCE concerning

ZONING CODE - LOT AREA REQUIREMENTS

FOR the purpose of authorizing the Board to grant a variance in the minimum lot area requirements in the B-3 District under certain conditions.

BY repealing and reordaining with amendments

Article 30 - Zoning

Chapter 11 - Administration and Enforcement

Section 11.0-3e-2(i)

Baltimore City Code (1983 Replacement Volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Section(s) of the Baltimore City Code (1983 Replacement Volume, as amended) be added, repealed, or amended, to read as follows:

ARTICLE 30-ZONING

Chapter 11 - Administration and Enforcement

11.0-3 The Board of Municipal and Zoning Appeals

e. Variances

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2. Authorized Variances. Variances from the regulations of this ordinance shall be in accordance with the standards established in Section 11.0-5c of this chapter, and may be granted by the Board only in the following instances, and in no others:

(1) TO AUTHORIZE THE APPLICABLE MINIMUM LOT AREA REQUIREMENTS FOR HOTELS AND INNS TO BE REDUCED IN A B-3 DISTRICT BY NOT MORE THAN 50% UPON A FINDING BY THE BOARD THAT:

(1) THE REDUCTION OF THE MINIMUM LOT AREA REQUIREMENTS WILL ADVANCE THE GENERAL WELFARE OF THE COMMUNITY AT LARGE BY PRESERVING AND PROMOTING THE HISTORICAL AND ARCHITECTURALLY SIGNIFICANT STRUCTURES LOCATED UPON THE PROPERTY; AND

(2) THAT A FACADE-EASEMENT QUALIFIED CONSERVATION CONTRIBUTION, AS DEFINED IN THE INTERNAL REVENUE CODE, AFFECTING THE ENTIRE EXTERIOR OF THE PROPERTY HAS BEEN GRANTED TO A QUALIFIED HISTORICAL GROUP SO DETERMINED TO BE SUCH BY THE BOARD.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

July 6, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO.154

(Council No. 228)

AN ORDINANCE concerning

ZONING - PLANNED UNIT DEVELOPMENT

FOR the purpose of approving the application of Jeral Associates Limited Partnership, Contract Purchaser of certain property located in Baltimore City, lying southwest of Monroe Street and northwest of Washington Boulevard, consisting of 55.91 acres, more or less, to have said property designated an Industrial Planned Unit Development in accordance with Sections 12.0-1 and 12.0-5 of Article 30 of the Baltimore City Code (1983 Repl. Vol., as amended) and to approve the Development Plan submitted by Jeral Associates Limited Partnership.

WHEREAS, It is the intention of Jeral Associates Limited Partnership to develop the property as a mixed use facility including a large volume merchandising facility serving a regional, as opposed to local, market and including several tenants occupying spaces of 15,000 square feet or larger; and

WHEREAS, The existing development on the subject property includes a very large one story building which is particularly well suited for such large scale merchandising use; and

WHEREAS, On April 27, 1986, Jeral Associates Limited Partnership met with the Department of Planning of Baltimore City to hold a pre-petition conference to explain the scope and nature of existing and proposed development on the subject property in order to institute proceedings to have said property designated an Industrial Planned Unit Development; and

WHEREAS, Jeral Associates Limited Partnership hereby makes formal application to the City Council of Baltimore City and together herewith has submitted the requisite Development Plan, consisting of Existing Conditions, Sheet 1 of 4, Site Plan, Sheet 2 of 4, Elevations, Sheet 3 of 4, and Elevations, Sheet 4 of 4, all revised April 22, 1988, intended to satisfy the requirements specified in Sections 12.0-1 and 12.0-5 of Article 30 of the Baltimore City Code (1983 Repl. Vol., as amended); and

WHEREAS, Jeral Associates Limited Partnership, in requesting the introduction of this bill, signifies its intention to implement, execute, substantially complete and maintain the development of the property in accordance with the Development Plan; now, therefore,

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the application of Jeral Associates Limited Partnership to designate the property northwest of the intersection of Monroe Street and Washington Boulevard, consisting of 55.91 acres, more or less, as outlined in the Development Plan accompanying this ordinance, an Industrial Planned Unit Development pursuant to Article 30, Sections 12.0-1 and 12.0-5 of the Baltimore City Code (1983 Repl. Vol., as amended) be and it is hereby approved.

SEC. 2. AND BE IT FURTHER ORDAINED, That the Development Plan (as scheduled in the recital paragraph of this Ordinance) submitted by Jeral Associates Limited Partnership attached hereto and made a part hereof, be and it is hereby approved.

SEC. 3. AND BE IT FURTHER ORDAINED, That in accordance with the provisions of Section 12.0-5(a), the following uses are permitted within the Industrial Planned Unit Development:

Building A: All uses permitted as of right or conditionally in the B-3 and M-2 zoning districts in accordance with Sections 6.3-1 and 7.2-1, respectively, of Article 30 of the Baltimore City Code (1983 Repl. Vol., as amended), except: supermarkets of less than 60,000 square feet; adult book and magazine stores; taverns, unless in a hotel or restaurant; automobile service stations ~~on Monroe Street~~; massage salons; pool halls and billiard parlors; community correction centers; free-standing drive-in restaurants; laboratories - research and testing, except as expressly permitted by the Planning Commission; palmists; garages for service and repair of motor vehicles on Monroe Street; drug abuse rehabilitation centers; parking of trucks ~~on Monroe Street~~, other than in Building C, as provided herein; pharmaceutical manufacturing-toxic, except as expressly permitted

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by the Planning Commission; atomic reactors; overhead power transmission towers with lines; aircraft manufacturing; automobile laundries; automobiles - manufacturing and fabrication; brewing, beer and ale; fuel and ice sales;

Provided that

(i) 180,000 square feet of the total floor area of Building A, plus or minus ten percent, shall be leased to one or more tenants occupying spaces consisting of not less than 50,000 square feet each, plus or minus ten percent, or

(ii) Alternatively, 150,000 square feet of the total floor area, plus or minus ten percent, shall be leased to one or two tenants each occupying not less than 50,000 square feet, plus or minus ten percent, and

Provided further that no more than 150,000 square feet of the total floor area of Building A shall be leased to tenants occupying spaces consisting of less than 15,000 square feet; however, in the event that portions of Building A are devoted to any use permitted in the M-2 District, but not permitted in the B-3 District, the 150,000 square feet specified in this proviso shall be reduced in the portion that the M-2 use bears to the total leasable square footage of Building A; but the limits in this subparagraph on size of rental units may be varied by the Board of Municipal and Zoning Appeals as increased by 10% without further review or approval, and may be further varied at the Developer's request by the Planning Commission, if the Commission determines that such variance constitutes a minor modification of the Development Plan, in accordance with the provisions of Section 12-0-1(b) of Article 30 of the Baltimore City Code (1983 Repl. Vol., as amended), to permit up to 200,000 square feet of the total floor area of Building A to be leased to tenants occupying less than 15,000 square feet.

Building B: Financial institution only.

Building C: Automobile repair and installation facility, provided that such facility is an accessory use to the business of a tenant of a space in Building A totalling not less than 15,000 square feet, and for no other use.

Building D: All uses permitted as of right or conditionally in the B-3 and M-2 zoning districts in accordance with Sections 6.3-1 and 7.2-1, respectively, of Article 30 of the Baltimore City Code (1983 Repl. Vol., as amended), except: supermarkets of less than 60,000 square feet; adult book and magazine stores; taverns, unless in a hotel or restaurant; automobile service stations on Monroe Street; massage salons; pool halls and billiard parlors; community correction centers; free-standing drive-in restaurants; laboratories - research and testing, except as expressly permitted by the Planning Commission; palmists; garages for service and repair of motor vehicles on Monroe Street, other than in Building C, as provided

herein; drug abuse rehabilitation centers, parking of trucks on Monroe Street; pharmaceutical manufacturing - toxic, except as expressly permitted by the Planning Commission; atomic reactors; overhead power transmission towers with lines; aircraft manufacturing; automobile laundries; automobiles - manufacturing and fabrication; brewing, beer and ale; fuel and ice sales;

Provided that the area devoted to uses permitted in the B-3 Zoning District but not permitted in the M-2 District, shall not exceed ~~the square footage equal to the square footage of the first floor of said Building E~~ 185,000 square feet.

Building E: All uses permitted as of right or conditionally in the M-2 Zoning District in accordance with Section 7.2-1 of Article 30 of the Baltimore City Code (1983 Repl. Vol., as amended), subject to the exceptions set forth in Section 3a, above.

SEC. 4. AND BE IT FURTHER ORDAINED, That upon passage of this Ordinance by the City Council, as evidence of the authenticity of the Development Plan which is a part hereof and in order to give notice to the departments which are administering the Zoning Ordinance, the President of the City Council shall sign the Development Plan, and when the Mayor approves the Ordinance, he shall sign the Development Plan. The Director of Finance shall then submit a copy of the Ordinance and the Development Plan to the Board of Municipal and Zoning Appeals, the Planning Commission and the Zoning Administrator.

SEC. 5. AND BE IT FURTHER ORDAINED, That this Ordinance is passed on the condition that Jeral Associates Limited Partnership, its successors and assigns, shall implement, execute, substantially complete and maintain the development of the property in accordance with the Development Plan.

SEC. 6. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect upon settlement pursuant to the agreement of Jeral Associates Limited Partnership; provided that if such settlement has not occurred by January 31, 1992, this ordinance shall be of no force and effect.

July 6, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 155

(Council No. 232)

AN ORDINANCE concerning

CITY STREET - CHANGE OF NAME

FOR the purpose of changing the name of Glidden Road beginning at Fort Smallwood Road running thence easterly to the end thereof, the new name of that portion of Glidden Road to be Fort Armistead Road.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the name of that portion of Glidden Road beginning at Fort Smallwood Road and running thence easterly to the end thereof be and it is hereby changed, and that said portion of Glidden Road shall hereafter be known as Fort Armistead Road.

SEC. 2. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect on the 30th day after the date of its enactment.

July 6, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 156

(Council No. 234)

AN ORDINANCE concerning

URBAN RENEWAL - BROADWAY EAST - RENEWAL AREA
DESIGNATION AND URBAN RENEWAL PLAN

FOR the purpose of designating as a "Renewal Area" an area situate in Baltimore City, Maryland known as Broadway East, bounded generally by E. North Avenue, N. Milton Avenue, E. Biddle Street, and N. Broadway; approving a Renewal Plan for Broadway East; authorizing the acquisition of certain properties, by purchase or by condemnation, for urban renewal purposes; recommending the closing of certain streets and/or alleys; providing that the procedures for the closing of said streets and/or alleys will be regulated by applicable laws and regulations; creating certain disposition lots for residential, commercial, and right-of-way use with appropriate standards and controls; establishing permitted land uses; providing that the approval of said Renewal Plan is not an enactment of such amendments to the Zoning Ordinance as are proposed in said Renewal Plan; providing for the review by the Department of Housing and Community Development of all plans for new

construction, exterior rehabilitation, or change in use of properties within Broadway East; establishing procedures for the issuance and denial of demolition permits; providing that in selling land in the Broadway East area, the Department of Housing and Community Development shall require that developers agree in writing not to discriminate in the sale, lease, use or occupancy of the property developed by them against any person because of national origin, race, religion, sex or color; providing that the cleaning of masonry facades by means of sandblasting shall not be permitted unless the Commissioner of the Department of Housing and Community Development determines it to be the only feasible means of surface cleaning; providing a penalty for violation of this standard; waiving such requirements, if any, as to content or procedure for the preparation, adoption and approval of Renewal Plans as set forth in Article 13 of the Baltimore City Code which the Renewal Plan for Broadway East may not meet; providing for the severability of the various parts and applications of this Ordinance; providing that where the provisions of this Ordinance shall conflict with any other ordinance, code or regulation, the provision which establishes the higher standard shall prevail; and providing for the effective date hereof.

WHEREAS, The goals of the City of Baltimore for the Broadway East area are to achieve a strong residential neighborhood which includes supporting commercial and public facilities, to eliminate blighting influences, to bring about a general physical improvement in the area by coordinated private and public improvements, to provide housing opportunities for low- and moderate-income families, to encourage home ownership, to make every effort to preserve identified historic structures, and to make Gay Street the focal point of the neighborhood through redevelopment of the corridor and relocation of some of the through traffic; and

WHEREAS, In accordance with the provisions of Article 13 of the Baltimore City Code (1983 Replacement Volume, as amended), the Broadway East area has been found to be in need of undertakings and activities for the elimination, the correction, or the prevention of the development or the spread of slums, blight, or deterioration; and

WHEREAS, The Commissioner of the Department of Housing and Community Development, after consultation with the Director of the Department of Planning, acting pursuant to powers vested by Section 23(a) of Article 13 of the Baltimore City Code (1983 Replacement Volume, as amended), has heretofore determined that the Broadway East area, as hereinbelow more particularly described, may be benefited through the exercise of those functions and powers of the City of Baltimore which are vested in the Department of Housing and Community Development by said Article 13, and has recommended to the City Council that an

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ordinance be passed to designate Broadway East as a "Renewal Area"; and

WHEREAS, Under Article 13 of the Baltimore City Code (1983 Replacement Volume, as amended), the Department of Housing and Community Development is authorized to prepare and administer renewal plans in renewal areas; and

WHEREAS, The Department of Housing and Community Development has prepared a Renewal Plan for Broadway East, dated April 7, 1988, consisting of a cover page, a table of contents, 10 pages of text, and 4 exhibits; and

WHEREAS, The Renewal Plan for Broadway East was approved by the Director of the Department of Planning with respect to its conformity as to the Master Plan, the detailed location of any public improvements proposed in the Renewal Plan, its conformity to the rules and regulations for subdivisions, and all zoning changes proposed in said Plan; and the Renewal Plan was approved and recommended to the Mayor and City Council of Baltimore by the Commissioner of the Department of Housing and Community Development; now, therefore,

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That it is hereby found and determined that the area known as Broadway East, as hereinbelow more particularly described, may be benefited through the exercise of the functions and powers vested in the Department of Housing and Community Development:

Beginning for the same at the intersection of the east side of N. Broadway and the northwest side of N. Gay Street; thence from said point of beginning and binding on the east side of N. Broadway northerly to intersect the south side of E. North Avenue; thence binding on the south side of E. North Avenue easterly to intersect the west side of N. Milton Avenue; thence binding on the west side of N. Milton Avenue southerly to intersect the north side of E. Biddle Street; thence binding on the north side of E. Biddle Street westerly to intersect the northwest side of N. Gay Street; thence binding on the northeast side of N. Gay Street southwesterly to the point beginning.

SEC. 2. AND BE IT FURTHER ORDAINED, That the Urban Renewal Plan, identified as "Urban Renewal Plan, Broadway East. . . dated April 7, 1988" is hereby approved and the Clerk of the City Council is hereby directed to file a copy of said Renewal Plan with the Department of Legislative Reference as a permanent public record and to make the same available for public inspection and information.

SEC. 3. AND BE IT FURTHER ORDAINED, That it is necessary to acquire by purchase or by condemnation, for urban renewal purposes, the fee simple interest or any lesser interest in and to certain properties or portions thereof together with all

right, title, interest, and estate that the owner or owners of said property interests may have in all streets, alleys, ways, or lanes, public or private, both abutting the whole area described and/or contained within the perimeter of said area, situate in Baltimore City, Maryland, and described as follows:

2006 Bauernschmidt Alley

1729 N. Chester Street
1731 N. Chester Street
1733 N. Chester Street
1735 N. Chester Street
1737 N. Chester Street

1700 N. Collington Avenue
1701 N. Collington Avenue
1702 N. Collington Avenue
1703 N. Collington Avenue
1704 N. Collington Avenue
1705 N. Collington Avenue
1706 N. Collington Avenue
1707 N. Collington Avenue
1708 N. Collington Avenue
1709 N. Collington Avenue
1710 N. Collington Avenue
1712 N. Collington Avenue

1728 N. Duncan Street
1729 N. Duncan Street
1730 N. Duncan Street
1731 N. Duncan Street
1732 N. Duncan Street
1733 N. Duncan Street
1734 N. Duncan Street
1735 N. Duncan Street
1736 N. Duncan Street
1737 N. Duncan Street
1738 N. Duncan Street
1739 N. Duncan Street
1741 N. Duncan Street
1743 N. Duncan Street
1745 N. Duncan Street

1402/1404 N. Gay Street
1405 N. Gay Street
1406 N. Gay Street
1407 N. Gay Street
1408 N. Gay Street
1409 N. Gay Street
1410 N. Gay Street
1411 N. Gay Street
1412 N. Gay Street
1413 N. Gay Street
1414 N. Gay Street
1415 N. Gay Street

1416 N. Gay Street
1417/19 N. Gay Street
1418 N. Gay Street
1420 N. Gay Street
1421 N. Gay Street
1422 N. Gay Street
1423 N. Gay Street
1424 N. Gay Street
1425 N. Gay Street
1426 N. Gay Street
1427 N. Gay Street
1428 N. Gay Street
1429 N. Gay Street
1430 N. Gay Street
1431 N. Gay Street
1432 N. Gay Street
1433/35 N. Gay Street
1434/36 N. Gay Street
1436 1/2 N. Gay Street
1437 N. Gay Street
1438 N. Gay Street
1439 N. Gay Street
1440 N. Gay Street
1441 N. Gay Street
1442 N. Gay Street
1443 N. Gay Street
1444 N. Gay Street
1445 N. Gay Street
1446 N. Gay Street
1500 N. Gay Street
1501 N. Gay Street
1502 N. Gay Street
1504 N. Gay Street
1506 N. Gay Street
1506 1/2 N. Gay Street
1508 N. Gay Street
1510 N. Gay Street
1511/17 N. Gay Street
1512 N. Gay Street
1514 N. Gay Street
1516/18 N. Gay Street
1520 N. Gay Street
1522/26 N. Gay Street
1528 N. Gay Street
1530 N. Gay Street
1532 N. Gay Street
1534 N. Gay Street
1536 N. Gay Street
1538 N. Gay Street
1540 N. Gay Street
1542 N. Gay Street
1544 N. Gay Street
1546 N. Gay Street
1548/50 N. Gay Street
1555 N. Gay Street

1601 N. Gay Street
 1603 N. Gay Street
 1605 N. Gay Street
 1607 N. Gay Street
 1609 N. Gay Street
 1611 N. Gay Street
 1613 N. Gay Street
 1615 N. Gay Street
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 1619 N. Gay Street
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 1631 N. Gay Street
 1632 N. Gay Street
 1633 N. Gay Street
 1634 N. Gay Street
 1635 N. Gay Street
 1636 N. Gay Street
 1700/18 N. Gay Street
 1701/29 N. Gay Street
 1726 N. Gay Street
 1728 N. Gay Street
 1730 N. Gay Street
 1732 N. Gay Street
 1734 N. Gay Street
 1736 N. Gay Street
 1738 N. Gay Street
 1740 N. Gay Street
 1741/43 N. Gay Street
 1742 N. Gay Street
 1744 N. Gay Street
 1745 N. Gay Street
 1746 N. Gay Street
 1747 N. Gay Street
 1748/50 N. Gay Street
 1749 1/2 N. Gay Street
 1751 N. Gay Street
 1752 N. Gay Street
 1753 N. Gay Street
 1755 N. Gay Street
 1757 N. Gay Street
 1759 N. Gay Street
 1761 N. Gay Street
 1763 N. Gay Street
 1765 N. Gay Street
 1766/76 N. Gay Street
 1767 N. Gay Street
 1769/71 N. Gay Street
 1800 N. Gay Street
 1801 N. Gay Street
 1802 N. Gay Street
 1803 N. Gay Street
 1804 N. Gay Street

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1805 N. Gay Street
1806 N. Gay Street
1807 N. Gay Street
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1815 N. Gay Street
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1819 N. Gay Street
1821 N. Gay Street
1823 N. Gay Street
1825 N. Gay Street
1827 N. Gay Street
1829 N. Gay Street
1846 N. Gay Street

1902 E. Hoffman Street

2200 E. Lanvale Street
2202 E. Lanvale Street
2204 E. Lanvale Street
2206 E. Lanvale Street
2208 E. Lanvale Street
2210 E. Lanvale Street
2212 E. Lanvale Street
2214 E. Lanvale Street
2216 E. Lanvale Street
2218 E. Lanvale Street
2220 E. Lanvale Street
2222 E. Lanvale Street
2224 E. Lanvale Street
2226 E. Lanvale Street
2228 E. Lanvale Street
2230 E. Lanvale Street
2232 E. Lanvale Street
2234 E. Lanvale Street
2236 E. Lanvale Street
2238 E. Lanvale Street

2002 Llewelyn Avenue

2301 E. North Avenue
2303 E. North Avenue
2305 E. North Avenue
2307 E. North Avenue
2309 E. North Avenue
2311 E. North Avenue
2313 E. North Avenue
2351 E. North Avenue
2401 E. North Avenue
2413/15 E. North Avenue
2417 E. North Avenue

2000-E-Oliver-Street
2002-E-Oliver-Street
2004-E-Oliver-Street

1650 N. Patterson Park Avenue
1700 N. Patterson Park Avenue
1702 N. Patterson Park Avenue
1704 N. Patterson Park Avenue
1706 N. Patterson Park Avenue
1708 N. Patterson Park Avenue
1710 N. Patterson Park Avenue
1712 N. Patterson Park Avenue
1714 N. Patterson Park Avenue
1801 N. Patterson Park Avenue
1803 N. Patterson Park Avenue
1805 N. Patterson Park Avenue
1806 N. Patterson Park Avenue
1807 N. Patterson Park Avenue
1808/38 N. Patterson Park Avenue
1809 N. Patterson Park Avenue
1811 N. Patterson Park Avenue
1813 N. Patterson Park Avenue
1815 N. Patterson Park Avenue
1817 N. Patterson Park Avenue
1819 N. Patterson Park Avenue
1821 N. Patterson Park Avenue
1823 N. Patterson Park Avenue
1825 N. Patterson Park Avenue
1827 N. Patterson Park Avenue
1829 N. Patterson Park Avenue
1831 N. Patterson Park Avenue
1833 N. Patterson Park Avenue
1400 N. Washington Street
1404/06 N. Washington Street
1413 N. Washington Street
1415 N. Washington Street

SEC. 4. AND BE IT FURTHER ORDAINED, That it may be necessary to acquire by purchase or by condemnation, for urban renewal purposes, the fee simple interest or any lesser interest in and to such of the remaining properties or portions thereof, together with all rights, title, interest, and estate that the owner or owners of said property interests may have in all streets, alleys, ways or lanes, public or private, abutting said properties of Broadway East not specifically designated for acquisition in Section 3 of this Ordinance, as may be deemed necessary and proper by the Commissioner of the Department of Housing and Community Development to effect the proper implementation of the project. These properties may include:

(a) any property in the project area containing a non-salvable structure, i.e. a structure which in the opinion of the Commissioner of the Department of Housing and Community Development cannot be economically rehabilitated;

IMMEDIATELY ON HANDY AND

(b) any property the owner of which is unable or unwilling to comply or conform to the codes and ordinance of Baltimore City within 12 months from the date of written notice of the required improvements. The Department of Housing and Community Development, after due consideration that the property owner has failed to achieve substantial conformity with the codes and ordinances of Baltimore City, may acquire such property pursuant to the Eminent Domain Law of this State as if the property had originally been planned for acquisition after 90 days' written notice to the owner. The Department of Housing and Community Development reserves the right to acquire any such non-complying property for a period of two (2) years from the date of said written 90 days' notice by the Department of Housing and Community Development.

SEC. 5. AND BE IT FURTHER ORDAINED, That it may be necessary to acquire by purchase or by condemnation, for urban renewal purposes, the fee simple interest or any lesser interest in and to such of the remaining properties or portions thereof together with all rights, title, interest and estate that the owner or owners of said property interests may have in all streets, alleys, ways or lanes, public or private, abutting said properties in Broadway East, not designated for acquisition, in addition to those properties enumerated in Sections 3 and 4 of this Ordinance, in order to carry out rehabilitation by the Department of Housing and Community Development because:

(a) it is necessary to make residential structures available for use for low- and moderate-income families; or

(b) rehabilitation on a structure-by-structure basis is infeasible, and assemblage of a group of properties is required to carry out the objectives set forth in the Broadway East Urban Renewal Plan; or

(c) rehabilitation of individual, scattered properties is necessary in order to remove blighting influences from otherwise sound residential blocks.

SEC. 6. AND BE IT FURTHER ORDAINED, That upon acquisition of the properties mentioned in Sections 4 and 5 of this Ordinance, the Department of Housing and Community Development will either:

(a) demolish the structure or structures thereon and dispose of the land for redevelopment for uses in accordance with the Urban Renewal Plan; or

(b) sell or lease the property subject to rehabilitation in conformance with the codes and ordinances of Baltimore City; or

(c) rehabilitate the property in conformance with the codes and ordinances of Baltimore City and dispose of the property in accordance with applicable regulations. If sale cannot be consummated by the time rehabilitation is accomplished, property

may be rented pending continuing sale efforts.

SEC. 7. AND BE IT FURTHER ORDAINED, That the Real Estate Acquisition Division of the Department of the Comptroller, or such person or persons and in such manner as the Board of Estimates, in the exercise of the power vested in it by Article V, Section 5, of the Baltimore City Charter, may hereafter from time to time designate, is or are authorized to acquire on behalf of the Mayor and City Council of Baltimore and for the purposes described in this Ordinance, the fee simple interest or any lesser interest in and to the properties or portions thereof hereinabove mentioned. If the said Division, person or persons is or are unable to agree with the owner or owners on the purchase price for said properties or portions thereof, it or they shall forthwith notify the City Solicitor of Baltimore City, who shall thereupon institute in the name of the Mayor and City Council of Baltimore the necessary legal proceedings to acquire by condemnation the fee simple interest or any lesser interest in and to said properties or portions thereof.

SEC. 8. AND BE IT FURTHER ORDAINED, That it is hereby recommended that certain streets and/or alleys be closed in connection with development on disposition lots, as set forth in the Urban Renewal Plan on Exhibit 1 - Land Use Plan and on Exhibit 3 - Land Disposition, dated April 7, 1988.

SEC. 9. AND BE IT FURTHER ORDAINED, That the proceedings of the Department of Public Works, with reference to the closing of said streets and/or alleys and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1964 Revision, as amended), and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SEC. 10. AND BE IT FURTHER ORDAINED, That certain disposition lots for residential, commercial, and right-of-way use shall be created and appropriate standards and controls to govern their development shall be formulated, all as set forth in the Urban Renewal Plan in Section B.2. entitled "Provisions Applicable to All Land and Property to be Acquired" and on Exhibit 3 - Land Disposition, dated April 7, 1988.

SEC. 11. AND BE IT FURTHER ORDAINED, That the permitted land uses in Broadway East shall be Residential, Neighborhood Business, Community Commercial, Industrial, and Public as set forth in the Urban Renewal Plan in Section B.1. entitled "Permitted Land Uses" and as shown on Exhibit 1 - Land Use Plan, dated April 7, 1988.

SEC. 12. AND BE IT FURTHER ORDAINED, That the approval of the Urban Renewal Plan for Broadway East shall not be construed

as an enactment of such amendments to the Zoning Ordinance as recommended in the Urban Renewal Plan on Exhibit 4 - Zoning Districts, dated April 7, 1988.

SEC. 13. AND BE IT FURTHER ORDAINED, That all plans for new construction (including parking lots), exterior rehabilitation, or change in use of any property not to be acquired under the provisions of the Urban Renewal Plan shall be submitted to the Department of Housing and Community Development for review. Only upon finding that the proposed plans are consistent with the objectives of the Urban Renewal Plan shall the Commissioner of the Department of Housing and Community Development authorize the processing of the plans for issuance of a building permit. The provisions of this section are in addition to and not in lieu of all other applicable laws and ordinances relating to new construction.

SEC. 14. AND BE IT FURTHER ORDAINED, That all applications for demolition permits shall be submitted to the Department of Housing and Community Development for review and approval. Upon finding that the proposed demolition is consistent with the objectives of the Broadway East Urban Renewal Plan, the Commissioner of the Department of Housing and Community Development shall authorize the issuance of the necessary permit. If the Commissioner finds that the proposal is inconsistent with the objectives of the Urban Renewal Plan and therefore denies the issuance of the permit, he shall seek approval of the Board of Estimates to acquire for and on behalf of the Mayor and City Council of Baltimore the property, in whole or in part, on which said demolition was to have occurred by purchase, lease, condemnation, gift or other legal means for the renovation, rehabilitation and disposition thereof. In the event that the Board of Estimates does not authorize the acquisition, the Commissioner shall, without delay, issue the demolition permit.

SEC. 15. AND BE IT FURTHER ORDAINED, That in selling or otherwise disposing of property in Broadway East, the Department of Housing and Community Development shall require that developers agree in writing not to discriminate in the sale, lease, use or occupancy of the property developed by them against any person because of origin, race, religion, color, sex or color.

SEC. 16. AND BE IT FURTHER ORDAINED, That cleaning of masonry facades by means of sandblasting shall not be permitted on any property in Broadway East, except where sandblasting is determined by the Commissioner of the Department of Housing and Community Development to be the only feasible means of surface cleaning of masonry and where, in his opinion, it will not cause damage to historic building materials.

SEC. 17. AND BE IT FURTHER ORDAINED, That in whatever respect, if any, the said Renewal Plan approved hereby may not meet the requirements as to the content of a renewal plan or the procedures for the preparation, adoption, and approval of renewal

plans, as provided in Article 13 of the Baltimore City Code (1983 Replacement Volume, as amended), the said requirements are hereby waived and the Renewal Plan approved hereby is exempted therefrom.

SEC. 18. AND BE IT FURTHER ORDAINED, That in whatever respect, if any, the said Renewal Plan approved hereby may not meet the requirements as to the content of a renewal plan or the procedures for the preparation, adoption, and approval of renewal plans, as provided in Article 13 of the Baltimore City Code (1983 Replacement Volume), the said requirements are hereby waived and the Renewal Plan approved hereby is exempted therefrom.

SEC. 19. AND BE IT FURTHER ORDAINED, That in the event it be judicially determined that any word, phrase, clause, sentence, paragraph, section or part in or of this Ordinance or the application thereof to any person or circumstances is invalid, the remaining provisions and the application of such provisions to other persons or circumstances shall not be affected thereby, the Mayor and City Council hereby declaring that they would have ordained the remaining provisions of this Ordinance without the word, phrase, clause, sentence, paragraph, section or part or the application thereof so held invalid.

SEC. 20. AND BE IT FURTHER ORDAINED, That in any case where a provision of this Ordinance concerns the same subject matter as an existing provision of any urban renewal, zoning, building, electrical, plumbing, health, fire or safety ordinance or code or regulation, the applicable provisions concerned shall be construed so as to give effect to each; provided, however, that if such provisions are found to be in irreconcilable conflict, the provision which establishes the higher standard for the promotion of the public health and safety shall prevail. In any case where a provision of this Ordinance is found to be in conflict with an existing provision of any other ordinance or code or regulation in force in the City of Baltimore which establishes a lower standard for the promotion and protection of the public health and safety, the provision of this Ordinance shall prevail, and the other existing provision of such other ordinance or code or regulation is hereby repealed to the extent that it may be found in conflict with this Ordinance.

SEC. 21. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect on the date of its enactment.

July 6, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 157

(Council No. 236)

AN ORDINANCE concerning

ZONING - APPROVAL FOR CONDITIONAL USE
COMMUNITY CORRECTION CENTER

FOR the purpose of granting permission for the establishment, maintenance and operation of a Community Correction Center, on 1101 E. Fayette Street, as outlined in red on the plats accompanying this ordinance.

BY authority of

Article 30 - Zoning

Section(s) 6.3-1d-6, 11.0-6d

Baltimore City Code (1983 Replacement Volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission is hereby granted to Volunteers of America for the establishment, maintenance and operation of a Community Correction Center, with a maximum capacity of 70 beds, on the property known as 1101 E. Fayette, as outlined in red on the plats accompanying this ordinance, under the provisions of Section(s) 6.3-1d-6 and 11.0-6d of Article 30 of the Baltimore City Code (1983 Replacement Volume, as amended), title "Zoning".

SEC. 2. AND BE IT FURTHER ORDAINED, That upon passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof and in order to give notice to the departments which are administering the Zoning Ordinance, the President of the City Council shall sign the plat and when the Mayor approves the ordinance, he shall sign the plat. The Director of Finance shall then transmit a copy of the ordinance and one of the plats to the following: the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of the Department of Housing and Community Development and the Zoning Administrator.

SEC. 3. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th day after the date of its enactment.

July 6, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 158

(Council No. 250)

AN ORDINANCE concerning

FRANCHISE - BRIDGEWAY OVER MERCER STREET

FOR the purpose of granting permission and authority to Nemaes, Inc., a Maryland corporation, its successors and assigns to continue to maintain and use, at its own cost, the existing bridge measuring nine feet high, with an average width of nine feet six inches, as the same extends over Mercer Street with a clearance of eighty-nine feet from the bed of Mercer Street to the bottom of said bridge, for the purpose of connecting its building situated on the southwest corner of Calvert and Redwood Streets with a building situated on the lot of ground bounded by Mercer, Calvert, Water and Grant Streets subject to certain terms, provisions, and conditions; and to repeal Ordinance No. 1683, approved May 16, 1963.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission and authority be and the same are hereby granted to Nemaes, Inc., its successors and assigns, hereinafter referred to as the "Grantee", to continue to maintain, and use, at its own cost and expense, for a period of twenty-five (25) years, one structure, to wit:

The existing bridge over and across Mercer Street, which said bridge shall connect the seventh floor of the present building owned by Nemaes, Inc., situate on the southwest corner of Calvert and Redwood Streets with the seventh floor of the building opposite to the above described premises, being situate on that lot of ground bounded by Mercer, Calvert, Water and Grant Streets; the said grant to be upon the terms and conditions following; that is to say:

That the said bridge, which measures 33 feet, 3-1/8", more or less, in length, between the walls of said buildings extends from the seventh floor of the building on the southwest corner of Calvert and Redwood Streets, now owned by Nemaes, Inc., and connects with the corresponding seventh floor of the building opposite, on the lot of ground bounded by Mercer, Calvert, Water and Grant Streets, as shown on the original plan and elevation made prior hereto.

That the said bridge is located as to permit a clearance of eighty-nine feet, more or less, measured from the bed of Mercer Street to the bottom of said bridge.

That the said bridge is 9 feet high and 6 feet 2 inches wide at the north end, and 12 feet 11 inches wide at the south end, or an average width of 9 feet 6 inches inside measurement.

RECEIVED CITY OF BALTIMORE

SEC. 2. AND BE IT FURTHER ORDAINED, That no woodwork or other combustible materials shall be used in the maintenance of said bridge and said bridge shall be maintained under the supervision and to the satisfaction of the Commissioner, Department of Housing and Community Development of Baltimore City, and shall be at all times hereafter, subject to regulation and control by the said Commissioner.

SEC. 3. AND BE IT FURTHER ORDAINED, That the Mayor and City Council of Baltimore hereby expressly reserves the right and power, at all times, to exercise, in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with this grant, and not inconsistent with the terms thereof.

SEC. 4. AND BE IT FURTHER ORDAINED, That the franchise or right granted by this ordinance shall be held, exercised and enjoyed for a period of twenty-five (25) years from the effective date of this ordinance.

SEC. 5. AND BE IT FURTHER ORDAINED, That the said Grantee, its successors and assigns, shall maintain the said bridge in good condition throughout the full term of this grant, so long as said bridge remains above said street.

SEC. 6. AND BE IT FURTHER ORDAINED, That the said Grantee, its successors and assigns, shall pay to the said Mayor and City Council of Baltimore, as compensation for the franchise or privilege hereby granted, the sum of Two Thousand One Hundred Thirty-five Dollars and Three Cents (\$2,135.03) per year, payable in advance during the continuance of this franchise or privilege, provided, however, that the Mayor and City Council of Baltimore, acting by and through the Board of Estimates, may increase or decrease the franchise charge payable by the Grantee under the provisions hereof by giving written notice to that effect at least one hundred and fifty (150) days prior to the expiration of the first five years of the term granted herein, or at the expiration of any subsequent five (5) year period of said term granted herein, any such increase or decrease of said franchise charge to be effective as the beginning of the next succeeding five (5) year period of the term granted herein.

SEC. 7. AND BE IT FURTHER ORDAINED, That non-compliance at any time or times with any of the terms or conditions of the grant hereby made shall, at the option of the Mayor and City Council of Baltimore, operate as a forfeiture of the same, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 8. AND BE IT FURTHER ORDAINED, That the Mayor of Baltimore City shall have the right to revoke the rights and privileges hereby granted at any time or times when, in his judgment, the public interest, welfare, safety, or convenience requires such revocation, and upon written notice to that effect

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from the Mayor of Baltimore City served upon the Grantee Nemaes, Inc., its successors or assigns, all such rights shall cease and determine.

SEC. 9. AND BE IT FURTHER ORDAINED, That in the event of any revocation, forfeiture, or termination of the rights and privileges by this ordinance granted, the said Grantee, its successors and assigns, shall, at their expense, promptly remove said bridge in a manner satisfactory to the Commissioner, Department of Housing and Community Development, without any compensation to the Grantee, its successors and assigns.

SEC. 10. AND BE IT FURTHER ORDAINED, That the said Grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore from and against any and all suits, losses, costs, claims, damages, or expenses to which the said Mayor and City Council of Baltimore may, from time to time, be subjected on account of, by reason of, or in any way resulting from - -

A. The presence, construction, use, operation, maintenance, alteration, repair, location, relocation, or removal of said bridge; and

B. Any failure on the part of said Grantee, its successors and assigns, to perform, promptly and properly, any of the duties or obligations imposed upon it or them by the terms and provisions of this ordinance.

SEC. 11. AND BE IT FURTHER ORDAINED, That Ordinance No. 1683, approved May 16, 1963, be and the same is hereby repealed; provided, however, that no claims, damages, charges and/or liabilities which have arisen, accrued or become due under said Ordinance No. 1683, approved May 16, 1963, any time or times prior to the passage and approval of this ordinance shall be in any way affected by the repeal of said Ordinance No. 1683.

SEC. 12. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect from May 16, 1988.

July 6, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 159

(Council No. 251)

AN ORDINANCE concerning

FRANCHISE - TUNNEL UNDER MERCER STREET

FOR the purpose of granting permission and authority to Nemaes, Inc., a Maryland corporation, its successors and assigns to continue to maintain and use, at its own cost, the existing tunnel measuring seven feet high, by six feet wide, as the same extends under the bed of Mercer Street, for the purpose of connecting its building situated on the southwest corner of Calvert and Redwood Streets with a building situated on the lot of ground bounded by Mercer, Calvert, Water and Grant Streets subject to certain terms, provisions, and conditions; and to repeal Ordinance No. 1684, approved May 16, 1963.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission and authority be and the same are hereby granted to the Nemaes, Inc., its successors and assigns, hereinafter referred to as the "Grantee", to continue to maintain, and use, at its own cost and expense for a period of twenty-five (25) years, one structure, to wit:

The existing tunnel under Mercer Street, which tunnel shall connect the basement of the premises owned by Nemaes, Inc., situate on the southwest corner of Calvert and Redwood Streets with the basement of the building opposite on that lot of ground bounded by Mercer, Calvert, Water and Grant Streets.

That the said tunnel shall permit the free and uninterrupted passage of pipes and other utilities through the bed of Mercer Street.

That said tunnel is seven feet high and six feet wide, inside measurement.

SEC. 2. AND BE IT FURTHER ORDAINED, That no woodwork or other combustible materials shall be used in the maintenance of said tunnel and said tunnel shall be maintained under the supervision and to the satisfaction of the Commissioner, Department of Housing and Community Development of Baltimore City, and shall be at all times hereafter, subject to regulation and control by the said Commissioner.

SEC. 3. AND BE IT FURTHER ORDAINED, That the Mayor and City Council of Baltimore hereby expressly reserves the right and power, at all times, to exercise, in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with this grant, and not inconsistent with the terms thereof.

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SEC. 4. AND BE IT FURTHER ORDAINED, That the franchise or right granted by this ordinance shall be held, exercised and enjoyed for a period of twenty-five (25) years from the effective date of this ordinance.

SEC. 5. AND BE IT FURTHER ORDAINED, That the said Grantee, its successors and assigns, shall maintain the said tunnel in good condition throughout the full term of this grant.

SEC. 6. AND BE IT FURTHER ORDAINED, That the said Grantee, its successors and assigns, shall pay to the said Mayor and City Council of Baltimore, as compensation for the franchise or privilege hereby granted, the sum of One Thousand Nine Hundred Eleven Dollars and Ninty-two Cents (\$1,911.92) per year, payable in advance during the continuance of this franchise or privilege, provided, however, that the Mayor and City Council of Baltimore, acting by and through the Board of Estimates, may increase or decrease the franchise charge payable by the Grantee under the provisions hereof by giving written notice to that effect at least one hundred and fifty (150) days prior to the expiration of this first five (5) years of the term granted herein, or at the expiration of any subsequent five (5) year period of said term granted herein, any such increase or decrease of said franchise charge to be effective as of the beginning of the next succeeding five (5) year period of the term granted herein.

SEC. 7. AND BE IT FURTHER ORDAINED, That non-compliance at any time or times with any of the terms or conditions of the grant hereby made shall, at the option of the Mayor and City Council of Baltimore, operate as a forfeiture of the same, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 8. AND BE IT FURTHER ORDAINED, That the Mayor of Baltimore shall have the right to revoke the rights and privileges hereby granted at any time or times when, in his judgment, the public interest, welfare, safety, or convenience requires such revocation, and upon written notice to that effect from the Mayor of Baltimore City served upon the Grantee Nemaes, Inc., its successors or assigns, all such rights shall cease and determine.

SEC. 9. AND BE IT FURTHER ORDAINED, That in the event of any revocation, forfeiture, or termination of the rights and privileges by this ordinance granted, the said Grantee, its successors and assigns, shall, at their expense, promptly remove said tunnel in a manner satisfactory to the Commissioner, Department of Housing and Community Development, without an compensation to the Grantee, its successors and assigns.

SEC. 10. AND BE IT FURTHER ORDAINED, That the said Grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore from and against any and all suits, losses, costs,

claims, damages, or expenses to which the said Mayor and City Council of Baltimore may, from time to time, be subjected on account of, by reason of, or in any way resulting from - -

A. The presence, construction, use, operation, maintenance, alteration, repair, location, relocation, or removal of said tunnel; and

B. Any failure on the part of said Grantee, its successors and assigns, to perform, promptly and properly, any of the duties or obligations imposed upon it or them by the terms and provisions of this ordinance.

SEC. 11. AND BE IT FURTHER ORDAINED, That Ordinance No. 1684, approved May 16, 1963, be and the same is hereby repealed; provided, however, that no claims, damages, charges and/or liabilities which have arisen, accrued or become due under said Ordinance No. 1684, approved May 16, 1963, any time or times prior to the passage and approval of this ordinance shall be in any way affected by the repeal of said Ordinance No. 1684.

SEC. 12. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect from May 16, 1988.

July 6, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 160

(Council No. 144)

AN Ordinance concerning

SUPPLEMENTARY SPECIAL FUND CAPITAL APPROPRIATION -
DEPARTMENT OF EDUCATION

FOR the purpose of providing a supplementary special fund capital appropriation in the amount of One Million Five Hundred Thousand Dollars (\$1,500,000) to the Department of Education (9932-418-004) to be used for roof replacement on the Headquarter's building.

By authority of

Article VI - Board of Estimates

Section 2(h)(3)

Baltimore City Charter (1964 Revision as amended)

WHEREAS, the money appropriated herein represents revenue produced by Interest Earnings - Financing Contracts in excess of the amount from this source estimated and relied upon by the Board of Estimates in determining the tax levy required to balance the budget for the 1988 fiscal year, and is therefore available for appropriation to the Department of Education

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pursuant to the provisions of Article VI, Section 2(h)(3) of the Baltimore City Charter (1964 Revision as amended); and

WHEREAS, the additional sum appropriated herein is for a new program which could not reasonably be anticipated at the time of the formulation of the proposed Ordinance of Estimates for the fiscal year ending June 30, 1988, in accordance with Article VI, Section 2(h)(3) of said Charter; and

WHEREAS, this supplementary special fund capital appropriation has been recommended to the City Council by the Board of Estimates at a regular meeting of the Board held on the 16th day of March, 1988, all in accordance with Article VI, Section 2(h)(3) of the Baltimore City Charter (1964 Revision as amended).

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That under the provisions of Article VI, Section 2(h)(3) of the 1964 Revision of the Charter of Baltimore City, as amended, the sum of One Million Five Hundred Thousand Dollars (\$1,500,000) shall be made available to the Department of Education (9932-418-004) of the City of Baltimore as a supplementary special fund capital appropriation for the fiscal year ending June 30, 1988 for the purpose of providing the roof replacement on the Headquarter's building. The amount thus made available as a supplementary special fund capital appropriation shall be expended from revenue derived from the Interest Earnings - Financing Contracts, said amount being in excess of the amount from this source which was estimated and relied upon by the Board of Estimates in determining the tax levy required to balance the budget for the 1988 fiscal year; and said funds from said Interest Earnings - Financing Contracts shall be the source of revenue for this supplementary special fund capital appropriation, as required by Article VI, Section 2(h)(3) of the Baltimore City Charter (1964 Revision as amended).

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

July 11, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 161

(Council No. 287)

AN ORDINANCE concerning

CITY STREET - OPENING 1) DICKMAN STREET, 2) CHARLES STREET AND
3) ALL STREETS AND ALLEYS BOUNDED BY DICKMAN STREET, CHARLES
STREET, CROMWELL STREET AND HANOVER STREET AND LYING WITHIN
PORT COVINGTON

FOR the purpose of condemning and opening 1) Dickman Street from Hanover Street easterly to the line of the east side of Charles Street, if extended northerly, 2) Charles Street from Cromwell Street Northerly to Dickman Street and 3) all streets and alleys bounded by Dickman Street, Charles Street, Cromwell Street and Hanover Street and lying within the area of Port Covington in accordance with a plat thereof numbered 347-A-43, prepared by the Surveys and Records Division and filed in the Office of the Department of Public Works, on the Twenty-sixth (26th) day of May, 1988.

BY authority of

Article I - General Provisions

Section - 4

Article II - General Powers

Sections 2, 34, 35

Baltimore City Charter (1964 Revision, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works be, and it is hereby authorized and directed to condemn and open 1) Dickman Street from Hanover Street Easterly to the line of the east side of Charles Street, if extended northerly, 2) Charles Street from Cromwell Street Northerly to Dickman Street and 3) all streets and alleys bounded by Dickman Street, Charles Street, Cromwell Street and Hanover Street and lying within the area of Port Covington the streets and alleys hereby directed to be condemned for said opening being described as follows:

1 - Beginning Parcel No. 1 at the point formed by the intersection of the east side of Hanover Street, as realigned and widened to a varying width and the north side of Moale Street, varying in width and running thence binding on the north side of said Moale Street, Easterly 95 feet, more or less, to the easternmost extremity of said Moale Street; thence binding on the easternmost extremity of said Moale Street, Southerly 30.5 feet, more or less, to the southeast side of said Moale Street; thence binding on the southeast side of said Moale Street, ~~Southerwesterly~~ Southwesterly 93 feet, more or less, to intersect the east side of said Hanover Street and thence binding on the east side of said Hanover Street, Northerly 57 feet, more or less, to the place of beginning.

2 - Beginning for Parcel No. 2 at a point on the north side of Moale Street, varying in width, distant 56 feet, more or less, easterly measured along the north side of said Moale Street from the east side of Hanover Street, as realigned and widened to a varying width and running thence binding on the west side of Moale Alley, 20 feet wide, Northerly 320 feet, more or less, to intersect the south side of Dickman Street, 66 feet wide; thence binding on the south side of said Dickman Street, Easterly 20 feet, more or less, to intersect the east side of said Moale Alley; thence binding on the east side of said Moale Alley, Southerly 320 feet, more or less, to intersect the north side of said Moale Street, and thence binding on the north side of said

Moale Street, Westerly 20 feet, more or less, to the place of beginning.

3 - Beginning for Parcel No. 3 at the point formed by the intersection of the east side of Hanover Street, as realigned and widened to a varying width and the south side of Dickman Street, 66 feet wide, and running thence binding on the east side of said Hanover Street, Northerly ~~40-feet,-more-or-less,-to-intersect-the-right-of-way-line-for-Interstate-Route-No.-95,-thence-binding-on-said-right-of-way-line,-the-two-following-courses-and-distances,-namely,-North-86--53'-29.3"-East-16-60-feet-and-North-03--06'-30.7"-West-26~~ 66 feet, more or less, to intersect the north side of said Dickman Street; thence binding on the north side of said Dickman Street, Easterly 309 326 feet, more or less, to intersect the line of the east side of Charles Street, 66 feet wide, if projected northerly; thence binding on said line so projected, Southerly 66 feet, more or less, to intersect the south side of said Dickman Street, and thence binding on the south side of said Dickman Street, Westerly 326 feet, more or less, to the place of beginning.

4 - Beginning for Parcel No. 4 at the point formed by the intersection of the north side of Cromwell Street, as now laid out and the west side of Charles Street, 66 feet wide and running thence binding on the west side of said Charles Street, Northerly 706 feet, more or less, to intersect the south side of Dickman Street, 66 feet wide; thence binding on the south side of said Dickman Street, Easterly 66 feet, more or less, to intersect the east side of said Charles Street; thence binding on the east side of said Charles Street, Southerly 706 feet, more or less, to intersect the north side of said Cromwell Street and thence binding on the north side of said Cromwell Street, Westerly 66 feet, more or less, to the place of beginning.

The said streets and alleys as directed to be condemned being more particularly described and referred to among the Land Records of Baltimore City and delineated and particularly shown on a plat numbered 347-A-43 which was filed in the Office of the Department of Public Works on the Twenty-sixth day (26th) of May, in the year 1988, and is now on file in said Office.

SEC. 2. AND BE IT FURTHER ORDAINED, That the proceedings of said Department of Public Works, with reference to the condemnation and opening of said streets and alleys and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1964 Revision) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SEC. 3. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect on the date of its enactment.

July 11, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 162

(Council No. 288)

AN ORDINANCE concerning

CITY STREET - CLOSING 1) DICKMAN STREET,
2) CHARLES STREET, AND 3) ALL STREETS AND ALLEYS
BOUNDED BY DICKMAN STREET, CHARLES STREET, CROMWELL STREET
AND HANOVER STREET AND LYING WITHIN PORT COVINGTON

FOR the purpose of condemning and closing 1) Dickman Street from Hanover Street easterly to the line of the east side of Charles Street, if extended northerly, 2) Charles Street from Cromwell Street Northerly to Dickman Street and 3) all streets and alleys bounded by Dickman Street, Charles Street, Cromwell Street and Hanover Street and lying within the area of Port Covington in accordance with a plat thereof numbered 347-A-43A prepared by the Surveys and Records Division and filed in the Office of the Department of Public Works, on the Twenty-sixth (26th) day of May, 1988.

BY authority of

Article I - General Provisions

Section 4

Article II - General Powers

Sections 2, 34, 35

Baltimore City Charter (1964 Revision, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works be, and it is hereby authorized and directed to condemn and close 1) Dickman Street from Hanover Street Easterly to the line of the east side of Charles Street, if extended northerly, 2) Charles Street from Cromwell Street Northerly to Dickman Street and 3) all streets and alleys bounded by Dickman Street, Charles Street, Cromwell Street and Hanover Street and lying within the area of Port Covington the streets and alleys hereby directed to be condemned for said closing being described as follows:

1- Beginning for Parcel No. 1 at the point formed by the intersection of the east side of Hanover Street, as realigned and widened to a varying width and the north side of Moale Street, varying in width and running thence binding on the north side of said Moale Street, Easterly 95 feet, more or less, to the easternmost extremity of said Moale Street; thence binding on the easternmost extremity of said Moale Street, Southerly 30.5 feet,

more or less, to the southeast side of said Moale Street; thence binding on the southeast side of said Moale Street, Southwesterly 93 feet, more or less, to intersect the east side of said Hanover Street and thence binding on the east side of said Hanover Street, Northerly 57 feet, more or less, to the place of beginning.

2 - Beginning for Parcel No. 2 at a point on the north side of Moale Street, varying in width, distant 56 feet, more or less, easterly measured along the north side of said Moale Street from the east side of Hanover Street, as realigned and widened to a varying width and running thence binding on the west side of Moale Alley, 20 feet wide, Northerly 320 feet, more or less, to intersect the south side of Dickman Street, 66 feet wide; thence binding on the south side of said Dickman Street, Easterly 20 feet, more or less, to intersect the east side of said Moale Alley; thence binding on the east side of said ~~Mele~~ Moale Alley, Southerly 320 feet, more or less, to intersect the north side of said Moale Street, and thence binding on the north side of said Moale Street, Westerly 20 feet, more or less, to the place of beginning.

3 - Beginning for Parcel No. 3 at the point formed by the intersection of the east side of Hanover Street, as realigned and widened to a varying width and the south side of Dickman Street, 66 feet wide, and running thence binding on the east side of said Hanover Street, Northerly 40 feet, more or less, to intersect the right of way line for Interstate Route No. 95; thence binding on said right of way line, the two following courses and distances; namely, North $86^{\circ}-53'-29.3''$ East 16.60 feet and North $03^{\circ}-06'-30.7''$ West 26 feet, more or less, to intersect the north side of said Dickman Street; thence binding on the north side of said Dickman Street, Easterly 309 feet, more or less, to intersect the line of the east side of Charles Street, 66 feet wide, if projected northerly; thence binding on said line so projected, Southerly 66 feet, more or less, to intersect the south side of said Dickman Street, and thence binding on the south side of said Dickman Street, Westerly 326 feet, more or less, to the place of beginning.

4 - Beginning for Parcel No. 4 at the point formed by the intersection of the north side of Cromwell Street, as now laid out and the west side of Charles Street, 66 feet wide and running thence binding on the west side of said Charles Street, Northerly 706 feet, more or less, to intersect the south side of Dickman Street, 66 feet wide; thence binding on the south side of said Dickman Street, Easterly 66 feet, more or less, to intersect the east side of said Charles Street; thence binding on the east side of said Charles Street, Southerly 706 feet, more or less, to intersect the north side of said Cromwell Street and thence binding on the north side of said Cromwell Street, Westerly 66 feet, more or less, to the place of beginning.

The said streets and alleys as directed to be condemned being more particularly described and referred to among the Land

Records of Baltimore City and delineated and particularly shown on a plat numbered 347-A-43A which was filed in the Office of the Department of Public Works on the Twenty-sixth (26th) day of May, in the year 1988, and is now on file in said Office.

SEC. 2. AND BE IT FURTHER ORDAINED, That after said highway or highways shall have been closed under the provisions of this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, shall be and continue to be the property of the Mayor and City Council of Baltimore, in fee simple, until the use thereof shall be abandoned by the Mayor and City Council of Baltimore, and in the event that any person, firm or corporation shall desire to remove, alter or interfere therewith, such person, firm or corporation shall first obtain permission and permits therefor from the Mayor and City Council of Baltimore, and shall in the application for such permission and permits agree to pay all costs and charges of every kind and nature made necessary by such removal, alteration or interference.

SEC. 3. AND BE IT FURTHER ORDAINED, That no buildings or structures of any kind shall be constructed or erected in said portion of said highway or highways after the same shall have been closed under the provisions of this Ordinance until the subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, over which said buildings or structures are proposed to be constructed or erected shall have been abandoned or shall have been removed and relaid in accordance with the specifications and under the direction of the Director of Public Works of Baltimore City, and at the expense of the person or persons or body corporate desiring to erect such buildings or structures. Railroad tracks shall be taken to be "structures" within the meaning of this section.

SEC. 4. AND BE IT FURTHER ORDAINED, That after said highway or highways shall have been closed under the provisions of this Ordinance, all subsurface structures and appurtenances owned by any person, firm or corporation, other than the Mayor and City Council of Baltimore, shall upon notice from the Director of Public Works of Baltimore City, be promptly removed by and at the expense of the said owners.

SEC. 5. AND BE IT FURTHER ORDAINED, That on and after the closing of said highway or highways, the said Mayor and City Council of Baltimore, acting through its duly authorized representatives, shall, at all times, have access to said property and to all subsurface structures and appurtenances used by it therein, for the purposes of inspection, maintenance, repair, alteration, relocation and/or replacement, of any or all of said structures and appurtenances, and this without permission from or compensation to the owner or owners of said land.

SEC. 6. AND BE IT FURTHER ORDAINED, That the proceedings of said Department of Public Works with reference to the condemnation and closing of said streets and alleys and the

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proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1964 Revision) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SEC. 7. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect on the date of its enactment.

July 11, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 163

(Council NO. 302)

AN ORDINANCE concerning

SUPPLEMENTARY SPECIAL FUND CAPITAL APPROPRIATION -
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

FOR the purpose of providing a supplementary special fund capital appropriation in the amount of Two Million Three Hundred Thousand Dollars (\$2,300,000) to the Department of Housing and Community Development (9911-588-560) to provide shared funding for the infrastructure development costs at Johns Hopkins Bayview Research Campus.

By authority of

Article VI - Board of Estimates
Section 2(h)(2)
Baltimore City Charter (1964 Revision, as amended)

WHEREAS, The money appropriated herein represents revenue produced by private funding (FSK Land Corporation) which could not be expected with reasonable certainty at the time of the formulation of the proposed Ordinance of Estimates for the fiscal year ending June 30, 1988 in accordance with Article VI, Section 2(h)(2) of the Baltimore City Charter (1964 Revision as amended); and

WHEREAS, This supplementary special fund capital appropriation has been recommended to the City Council by the Board of Estimates at a regular meeting of the Board held on the 15th day of June, 1988, all in accordance with Article VI, Section 2(h)(2) of the Baltimore City Charter (1964 Revision, as amended); now, therefore

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That under the provisions of Article VI, Section 2(h)(2) of the 1964 Revision of the Charter of Baltimore City, as amended, the sum of Two Million Three Hundred Thousand Dollars (\$2,300,000) shall be made available to the Department of Housing and Community Development (9911-588-560) of the City of Baltimore as a supplementary special fund capital appropriation for the fiscal year ending June 30, 1988, for the purpose of providing shared funding for the infrastructure development costs at Johns Hopkins Bayview Research Campus. The amount thus made available as a supplementary special fund capital appropriation shall be expended from private funding (FSK Land Corporation) which could not be expected with reasonable certainty at the time of formulation of the fiscal 1988 Ordinance of Estimates; and said funds from said private funding shall be the source of revenue for this supplementary special fund capital appropriation, as required by Article VI, Section 2(h)(2) of the Baltimore City Charter (1964 Revision as amended).

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

July 11, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 164

(Council No. 171)

AN ORDINANCE concerning

ZONING - APPROVAL FOR CONDITIONAL USE
PARKING LOT IN THE PARKING LOT DISTRICT

FOR the purpose of granting permission for the establishment, maintenance, and operation of an open off-street parking area on the property lying south of North Avenue and northeast of Malster Street as outlined in red on the plats accompanying this ordinance.

BY authority of

Article 30 - Zoning

Section(s) 9.0-3d and 11.0-6d

Baltimore City Code (1983 Replacement Volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission is hereby granted for the establishment, maintenance, and operation of an open off-street parking area on the property lying south of North Avenue and northeast of Malster Street as outlined in red on the plats accompanying this ordinance, under the provisions of Section(s)

9.0-3d and 11.0-6d of Article 30 of the Baltimore City Code (1983 Replacement Volume, as amended), title "Zoning".

SEC. 2. AND BE IT FURTHER ORDAINED, That upon passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof and in order to give notice to the departments which are administering the Zoning Ordinance, the President of the City Council shall sign the plat and when the Mayor approves the ordinance, he shall sign the plat. The Director of Finance shall then transmit a copy of the ordinance and one of the plats to the following: the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of the Department of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SEC. 3. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th day after the date of its enactment.

August 17, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 165

(Council No. 216)

AN ORDINANCE concerning

STREET ENCROACHMENT - 1001 N. CALVERT STREET

FOR the purpose of authorizing the construction and maintenance of planters projecting not more than 6 feet 6 inches into the public right of way on the Eager Street side of the property.

By adding

Article 32 - Building Code
Section 507.8
Baltimore City Code (1985 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the construction and maintenance of 3 planters projecting not more than 6 feet 6 inches into the public right of way on the Eager Street side of the property are hereby authorized. The planters will be constructed of brick and will be located under a projecting bay window. Except as in this ordinance specifically provided, all ordinances and all rules and regulations of the Mayor and City Council of Baltimore shall be complied with in the construction and use of these structures.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

October 10, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 166

(Council No. 217)

AN ORDINANCE concerning

FRANCHISE - SIGN AT HARFORD AVENUE
SOUTH OF CHASE STREET

FOR the purpose of granting permission and authority to the Johns Hopkins Health Plan to construct and maintain a free-standing, three-sided sign on the East side of Harford Avenue just South of Chase Street on the public right-of-way.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission and authority be and the same hereby be granted to the Johns Hopkins Health Plan, its successors and assigns, hereinafter referred to as Grantee, to construct and maintain the sign at its own cost and expense for the period not to exceed twenty-five (25) years except as allowed by the City Charter for the purpose of identifying the location of the East Baltimore Medical Center to persons travelling North and South on Harford Road, and East and West on Chase and Preston Streets.

SEC. 2. AND BE IT FURTHER ORDAINED, That this free-standing sign shall be constructed in all respects in accordance with the Building Code of Baltimore City and shall be completed and maintained under the supervision and to the satisfaction of the Commissioner, Department of Housing and Community Development of Baltimore City, and shall be at all times hereafter, subject to regulation and control by the said Commissioner.

SEC. 3. AND BE IT FURTHER ORDAINED, That the Mayor and City Council of Baltimore hereby expressly reserves the right and power, at all times, to exercise, in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with this grant, and not inconsistent with the terms thereof.

SEC. 4. AND BE IT FURTHER ORDAINED, That the franchise or right granted by this ordinance shall be executed and enjoyed within six months after the grant.

SEC. 5. AND BE IT FURTHER ORDAINED, That the said Grantee, its successors and assigns, shall maintain the said free-standing sign in good condition throughout the full term of this grant.

SEC. 6. AND BE IT FURTHER ORDAINED, That the said Grantee, its successors and assigns, shall pay to the said Mayor and City Council of Baltimore, as compensation for the franchise or privilege hereby granted, the sum of \$303.73 per year, payable in advance during the continuance of this franchise or privilege, provided, however, that the Mayor and City Council of Baltimore, acting by and through the Board of Estimates, may increase or decrease the franchise charge payable by the Grantee under the provisions hereof by giving written notice to that effect to the Grantee at least one hundred and fifty (150) days prior to the expiration of this first five years of the term granted herein, or at the expiration of any subsequent five (5) year period of said term granted herein, any such increase or decrease of said franchise charge to be effective as of the beginning of the next succeeding five (5) year period of the term granted herein.

SEC. 7. AND BE IT FURTHER ORDAINED, That non-compliance at any time or times with any of the terms or conditions of the grant hereby made shall, at the option of the Mayor and City Council of Baltimore, operate as a forfeiture of the same, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 8. AND BE IT FURTHER ORDAINED, That the Mayor of Baltimore City shall have the right to revoke the rights and privileges hereby granted at any time or times when, in his judgment, the public interest, welfare, safety, or convenience requires such revocation, and upon written notice to that effect from the Mayor of Baltimore City served upon the Grantee, its successors or assigns, all such rights shall cease and determine.

SEC. 9. AND BE IT FURTHER ORDAINED, That in the event of any revocation, forfeiture, or termination of the rights and privileges by this ordinance granted, the said Grantee, its successors and assigns, shall, at their expense, promptly remove said free-standing sign in a manner satisfactory to the Commissioner, Department of Housing and Community Development, without a compensation to the Grantee, its successors and assigns.

SEC. 10. AND BE IT FURTHER ORDAINED, That the said Grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore from and against any and all suits, losses, costs, claims, damages, or expenses to which the said Mayor and City Council of Baltimore may, from time to time, be subjected on account of, by reason of, or in any way resulting from - -

A. The presence, construction, use, operation, maintenance, alteration, repair, location, relocation, or removal of said free-standing sign; and

B. Any failure on the part of said Grantee, its successors and assigns, to perform, promptly and properly, any of

Ord. No. 167

the duties or obligations imposed upon it or them by the terms and provisions of this ordinance.

SEC. 11. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th day after the date of its enactment.

October 10, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 167

(Council No. 220)

AN ORDINANCE concerning

REZONING - 5009 LAWDALE AVENUE

FOR the purpose of changing the zoning for the northern portions of the property known as 5009 Lawndale Avenue from the B-1-1 Zoning District to the R-1 Zoning District, as outlined in red on the amended plat accompanying this ordinance.

BY amending Zoning District Maps

Sheet No. 15

Article 30

Baltimore City Code (1983 Replacement Volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sheet No. 15 of the Zoning District Maps of Article 30 of the Baltimore City Code (1983 Replacement Volume, as amended) title "Zoning" be and it is hereby amended by changing from the B-1-1 Zoning District to the R-1 Zoning District the northern portions of the property known as 5009 Lawndale Avenue, as outlined in red on the amended plat accompanying this ordinance.

SEC. 2. AND BE IT FURTHER ORDAINED, That upon passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof and in order to give notice to the departments which are administering the Zoning Ordinance, the President of the City Council shall sign the plat and when the Mayor approves the ordinance, he shall sign the plat. The Director of Finance shall then transmit a copy of the ordinance and one of the plats to the following: the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of the Department of Housing and Community Development, the Supervisor of Assessments for Baltimore City and the Zoning Administrator.

SEC. 3. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th day after the date of its enactment.

October 10, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 168

(Council No. 222)

AN ORDINANCE concerning

CITY STREET - OPENING PENN STREET

FOR the purpose of condemning and opening Penn Street, extending from Redwood Street, Southerly to Lombard Street in accordance with a plat thereof numbered 184-A-13AA, prepared by the Surveys and Records Division and filed in the Office of the Department of Public Works, on the Thirty-first (31st) day of March, 1988.

BY authority of

Article I - General Provisions

Section 4

Article II - General Powers

Sections 2, 34, 35

Baltimore City Charter (1964 Revision, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works be, and it is hereby authorized and directed to condemn and open Penn Street, extending from Redwood Street, Southerly to Lombard Street, the street hereby directed to be condemned for said opening described as follows:

Beginning for the same at the point formed by the intersection of the west side of Penn Street, 55 feet wide, and the south side of Redwood Street, 60 feet wide, and running thence binding on the south side of said Redwood Street, Easterly 55 feet to intersect the east side of said Penn Street; thence binding on the east side of said Penn Street, South 02°-49'-40" East 346 feet, more or less, to intersect the north side of Lombard Street, 66 feet wide; thence binding on the north side of said Lombard Street, Westerly 55 feet to intersect the west side of said Penn Street and thence binding on the west side of said Penn Street, North 02°-49'-40" West 346 feet, more or less, to the place of beginning.

The said Penn Street as directed to be condemned being more particularly described and referred to among the Land Records of Baltimore City and delineated and particularly shown on a plat numbered ~~184~~184-A-13AA which was filed in the Office of the

Department of Public Works on the Thirty-first (31st) day of March, in the year 1988, and is now on file in said Office.

SEC. 2. AND BE IT FURTHER ORDAINED, That the proceedings of said Department of Public Works, with reference to the condemnation and opening of said Penn Street and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1964 Revision) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SEC. 3. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect on the date of its enactment.

October 10, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 169

(Council No. 223)

AN ORDINANCE concerning

CITY STREET - CLOSING A PORTION OF PENN STREET

FOR the purpose of condemning and closing a portion of Penn Street at a point on the east side thereof distant North 02°-49'-40" West ~~129.09~~ 107.33 feet from the north side of Lombard Street, 66 feet wide, and extending Northerly 209-67 239.09 feet in accordance with a plat thereof numbered 184-A-13BB, prepared by the Surveys and Records Division and filed in the Office of the Department of Public Works, on the Thirty-first (31st) day of March, 1988.

BY authority of

Article I - General Provisions

Section 4

Article II - General Powers

Sections 2, 34, 35

Baltimore City Charter (1964 Revision, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works be, and it is hereby authorized and directed to condemn and close a portion of Penn Street at a point on the east side thereof distant North 02°-49'-40" West ~~129.09~~ 107.33 feet from the north side of Lombard Street, 66 feet wide, and extending Northerly 209-67 239.09 feet the portion of street hereby directed to be condemned for said closing being described as follows:

Beginning for the same at a point on the east side of Penn Street, 55 feet wide, distant North $02^{\circ}-49'-40''$ West ± 29.09 107.33 feet measured along the east side of said Penn Street from the north side of Lombard Street, 66 feet wide, and at a horizontal plane having a an elevation of 150.00 feet and extending on to an elevation of unlimited height and running thence by a straight line, South $87^{\circ}-10'-20''$ West ± 3.83 15.00 feet to intersect a line drawn parallel with a and distant ± 3.83 15.00 feet westerly measured at right angles from the east side of said Penn Street; thence binding on said line so drawn, North $02^{\circ}-49'-40''$ West 209.67 239.09 feet; -thence-by-another-straight line-North- $87^{\circ}-10'-20''$ -East- ± 3.83 -feet-to-intersect-a-point-on the-east-side-of-said-Penn-Street;-distant-South- $02^{\circ}-49'-40''$ -East- 7.67 -feet-measured-along-the-east-side-of-said-Penn-Street-from the-south-side-of-the-former-bed-of-Redwood-Street;-60-feet-wide; as-condemned-and-closed-in-accordance-with-Ordinance-No.-1202 approved-May-8,-1962 to intersect the south side of Redwood Street, 60 feet wide; thence binding on the south side of Redwood Street, North $87^{\circ}-10'-20''$ East 15.00 feet to intersect the east side of said Penn Street and thence binding on the east side of said Penn Street, South $02^{\circ}-49'-40''$ East 209.67 239.09 feet to the place of beginning.

The said portion of Penn Street as directed to be condemned being delineated and particularly shown on a plat numbered 184-A-13BB which was filed in the Office of the Department of Public Works on the Thirty-first (31st) day of March, in the year 1988, and is now on file in said Office.

SEC. 2. AND BE IT FURTHER ORDAINED, That after said highway or highways shall have been closed under the provisions of this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, shall be and continue to be the property of the Mayor and City Council of Baltimore, in fee simple, until the use thereof shall be abandoned by the Mayor and City Council of Baltimore, and in the event that any person, firm or corporation shall desire to remove, alter or interfere therewith, such person, firm or corporation shall first obtain permission and permits therefor from the Mayor and City Council of Baltimore, and shall in the application for such permission and permits agree to pay all costs and charges of every kind and nature made necessary by such removal, alteration or interference.

SEC. 3. AND BE IT FURTHER ORDAINED, That no buildings or structures of any kind shall be constructed or erected in said portion of said highway or highways after the same shall have been closed under the provisions of this ordinance until the subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, over which said buildings or structures are proposed to be constructed or erected shall have been abandoned or shall have been removed and relaid in accordance with the specifications and under the direction of the Director of Public Works of Baltimore City, and at the expense of the person or persons or body corporate desiring to erect such

buildings or structures. Railroad tracks shall be taken to be "structures" within the meaning of this section.

SEC. 4. AND BE IT FURTHER ORDAINED, That after said highway or highways shall have been closed under the provisions of this ordinance, all subsurface structures and appurtenances owned by any person, firm or corporation, other than the Mayor and City Council of Baltimore, shall upon notice from the Director of Public Works of Baltimore City, be promptly removed by and at the expense of the said owners.

SEC. 5. AND BE IT FURTHER ORDAINED, That on and after the closing of said highway or highways, the said Mayor and City Council of Baltimore, acting through its duly authorized representatives, shall, at all times, have access to said property and to all subsurface structures and appurtenances used by it therein, for the purposes of inspection, maintenance, repair, alteration, relocation and/or replacement, of any or all of said structures and appurtenances, and this without permission from or compensation to the owner or owners of said land.

SEC. 6. AND BE IT FURTHER ORDAINED, That the proceedings of said Department of Public Works with reference to the condemnation and closing of said portion of Penn Street and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1964 Revision) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SEC. 7. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect on the date of its enactment.

October 10, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 170

(Council No. 225)

AN ORDINANCE concerning

STREET ENCROACHMENT - WEST FAYETTE STREET BETWEEN
ARCH STREET AND NORTH GREEN STREET

FOR the purpose of authorizing the construction and maintenance of two pedestals at the garage entrance of the Veterans Administration Medical Center.

BY authority

Article 32 - Building Code

Sections 507.5 and 507.8

Baltimore City Building Code (1985 Edition, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the construction and maintenance of two concrete pedestals at the garage entrance of the Veterans Administration Medical Center on the south side of West Fayette Street between Arch Street and North Green Street are hereby authorized. The pedestals shall extend approximately 4 feet 6 inches in to the public right-of-way and shall be 4 feet 6 inches long. Except as specifically provided in this ordinance, all ordinances and rules and regulations of the Mayor and City Council of Baltimore shall be complied within the construction and use of these pedestals.

SEC. 2. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect on the 30th day after the date of its enactment.

October 10, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 171

(Council No. 227)

AN ORDINANCE concerning

CITY PROPERTY - ACQUISITION OF A PARCEL OF LAND FOR THE
GWYNNS FALLS STREAM BANK PROTECTION EROSION CONTROL PROJECT

FOR the purpose of authorizing the acquisition by purchase or condemnation by the Mayor and City Council of Baltimore of the fee simple interests or such other interests as the Commissioner of the Department of Transportation may deem necessary or sufficient, in and to certain pieces or parcels of land situate in Baltimore City, for a parcel of land needed for the Gwynns Falls Stream Bank Protection Erosion Control Project located in the vicinity of Russell Street and Interstate Route No. 95; the location and course of said parcel of land being shown on a plat thereof numbered 347-A-39A prepared by the Surveys and Records Division and filed in the Office of the Director of the Department of Public Works on the Seventh (7th) day of March, 1988.

BY authority of

Article I - General Provisions

Section 4

Article II - General Powers

Section 2

Baltimore City Charter (1964 Revision, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That it is necessary to acquire by purchase or by condemnation the parcel of land needed for the Gwynns Falls Stream Bank Protection Erosion Control Project, the fee simple interests or such other interests as the Commissioner of the Department of Transportation may deem necessary or sufficient in and to all of that piece of or parcel of land, with the improvements thereon, situate in Baltimore City, State of Maryland, and described as follows:

Beginning for the same at the point formed by the intersection of the west side of Russell Street, as now laid out varying in width, and the southwest outline of the Chesapeake and Ohio Railway Right of Way (South Baltimore Branch), 66 feet wide, and running thence binding on the west side of said Russell Street, South 00°-57'-10" West 178.06 feet to intersect the fifth line of the parcel of land conveyed by Frederick W. Hageman to The Real Estate and Improvement Company by deed dated November 27, 1905 and recorded among the Land Records of Baltimore City in Liber R.O. No. 2203, Folio 365; thence binding reversely on part of the fifth line of said deed, to the beginning thereof, as now surveyed, South 44°-38'-50" West 340 feet, more or less, to the Gwynns Falls; thence binding along the Gwynns Falls and reversely on part of the fourth line of said deed, there situate, Northwesterly 902 feet, more or less, to intersect the southeast outline of another Chesapeake and Ohio Railway Right of Way; thence binding on the southeast outline of last said Chesapeake and Ohio Railway Right of Way, the two following courses and distances; namely, North 41°-58'-55" East 372 feet, more or less, and North 44°-40'-18" East 479.69 feet to intersect the west outline of the Chesapeake and Ohio Railway Right of Way mentioned firstly herein, and thence binding on the west and southwest outlines of the Chesapeake and Ohio Railway Right of Way mentioned firstly herein the two following courses and distances; namely, by a line curving to the left with a radius of 797.50 feet the distance of 925.83 feet which arc is subtended by a chord bearing South 12°-03'-32.5" East 874.71 feet and South 45°-19'-00" East 25.64 feet to the place of beginning.

Containing $\frac{426,367}{9.79}$ $\frac{425,625}{9.771}$ square feet, more or less, or 9.771 acres of land, more or less.

The courses in the above description are referred to the true meridian as adopted by the Baltimore Survey Control System.

Together with all right, title, interest and estate that the owner or owners of said property interests may have in all streets, alleys, ways or lanes, public or private, both abutting the whole area described and/or contained within the perimeter of

said area. The location and course of said parcel of land for the Gwynns Falls Stream Bank Protection Erosion Control Project being shown on a plat thereof numbered 347-A-39A prepared by the Surveys and Records Division and filed in the Office of the Director of the Department of Public Works on the Seventh (7th) day of March, 1988.

SEC. 2. AND BE IT FURTHER ORDAINED, That the Department of Real Estate of Baltimore City, or such other person or agency as the Board of Estimates may hereafter from time to time designate, is hereby authorized to negotiate and acquire on behalf of the Mayor and City Council of Baltimore, and for the purposes described in this Ordinance, the fee simple interest or such other interests as may be deemed necessary or sufficient in and to said piece or parcel of land, with the improvements thereon. If the said Department of Real Estate or the person or agency otherwise provided for by the Board of Estimates under the authority of Section 5(a) of Article V of the Baltimore City Charter (1964 Revision, as amended) is or are unable to agree with the owner or owners on the purchase price for said parcel of land and the improvements thereon, it or they shall forthwith notify the City Solicitor of Baltimore City, who shall thereupon institute in the name of the Mayor and City Council of Baltimore the necessary legal proceedings to acquire by condemnation the fee simple interests or such other interests as may be deemed necessary or sufficient in and to said piece or parcel of land, with the improvements thereon, herein described.

SEC. 3. AND BE IT FURTHER ORDAINED, That the proceedings for the acquisition by condemnation of the property and rights herein described and the rights of all parties interested or affected thereby shall be regulated by and be in accordance with the provisions of the Real Property Article of the Annotated Code of Maryland (1974), Title 12, Section 101 et seq. and any and all amendments thereto.

SEC. 4. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

October 10, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 172

(Council No. 244)

AN ORDINANCE concerning

CITY STREET - OPENING PORTIONS OF VINEYARD LANE

FOR the purpose of condemning and opening (1) a portion of Vineyard Land, contiguous to the south side thereof

extending from Greenmount Avenue westerly 11.67 feet and (2) a portion of Vineyard Lane, contiguous to the south and southeast sides thereof extending from a point 164.34 feet west of Greenmount Avenue westerly and southwesterly 64 feet, more or less, in accordance with a plat thereof numbered 347-A-27, prepared by the Surveys and Records Division and filed in the Office of the Department of Public Works, on the Eighth (8th) day of September, 1987.

BY authority of

Article I - General Provisions

Section - 4

Article II - General Powers

Sections 2, 34, 35

Baltimore City Charter (1964 Revision, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works be, and it is hereby authorized and directed to condemn and open (1) a portion of Vineyard Lane, contiguous to the south side thereof extending from Greenmount Avenue westerly 11.67 feet and (2) a portion of Vineyard Lane, contiguous to the south and southeast sides thereof extending from a point 164.34 feet west of Greenmount Avenue westerly and southwesterly 64 feet, more or less, the portions of the street hereby directed to be condemned for said opening being described as follows:

Beginning from parcel No. 1 at the point formed by the intersection of the west side of Greenmount Avenue, 66 feet wide, and the south side of Vineyard Lane, as now laid out, and running thence binding on the south side of said Vineyard Lane, North 86°-32'-00" West 11.67 feet to intersect the north face of the north wall of the one story masonry building situate on the property known as No. 3010/20 Greenmount Avenue; thence binding along the north face of the north wall of the one story masonry building situate on said property, North 87°-54'-30" East 11.67 feet to the west side of said Greenmount Avenue, and thence binding on the west side of said Greenmount Avenue, South 00°-21'-00" West 1.13 feet to the place of beginning.

Beginning for Parcel No. 2 at a point on the south side of Vineyard Lane, as now laid out, distant North 86°-32'-00" West 164.34 feet measured along the south side of said Vineyard Lane from the west side of Greenmount Avenue, 66 feet wide, and running thence binding on the south side of said Vineyard Lane, North 86°-32'-00" West 11.58 feet to intersect the southeast side of Vineyard Lane, as now laid out; thence binding on the southeast side of last said Vineyard Lane, South 40°-00'-00" West 52.31 feet to intersect the west face of the west wall of the one story masonry building situate on the property known as No. 3001 Vineyard Lane; thence binding along the west, northwest and north faces of the west, northwest and north walls respectively of the one story masonry building situate on said property the three following courses and distances; namely, North 00°-17'-00" East 1.11 feet, North 40°-12'-00" East 51.72 feet and South 86°-29'-

00" East 11.82 feet to the northeasternmost corner of said building and thence binding along the east face of the east wall of the one story masonry building situate on said property, South 00°-17'-00" West 0.53 foot to the place of beginning.

All courses and distances in the above descriptions are referred to the true meridian as adopted by the Baltimore Survey Control System.

The said portions of Vineyard Lane as directed to be condemned being delineated and particularly shown on a plat numbered 347-A-27 which was filed in the Office of the Department of Public Works on the Eighth (8th) day of September, in the year 1987, and is now on file in said Office.

SEC. 2. AND BE IT FURTHER ORDAINED, That the proceedings of said Department of Public Works, with reference to the condemnation and opening of said portions of Vineyard Lane and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1964 Revision) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SEC. 3. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect on the date of its enactment.

October 10, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 173

(Council No. 245)

AN ORDINANCE concerning

CITY STREET - CLOSING PORTIONS OF VINEYARD LANE

FOR the purpose of condemning and closing (1) a portion of Vineyard Lane, contiguous to the south side thereof extending from Greenmount Avenue westerly 11.67 feet and (2) a portion of Vineyard Lane, contiguous to the south and southeast sides thereof extending from point 164.34 feet west of Greenmount Avenue westerly and southwesterly 64 feet, more or less, in accordance with a plat thereof numbered 347-A-27A, prepared by the Surveys and Records Division and filed in the Office of the Department of Public Works, on the Eighth (8th) day of September, 1987.

BY authority of

Article I - General Provisions

Section - 4

Article II - General Powers

Sections 2, 34, 35

Baltimore City Charter (1964 Revision, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works be, and it is hereby authorized and directed to condemn and close (1) a portion of Vineyard Lane, contiguous to the south side thereof extending from Greenmount Avenue westerly 11.67 feet and (2) a portion of Vineyard Lane, contiguous to the south and southeast sides thereof extending from a point 164.34 feet west of Greenmount Avenue westerly and southwesterly 64 feet, more or less, the portions of the street hereby directed to be condemned for said closing being described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the west side of Greenmount Avenue, 66 feet wide, and south side of Vineyard Lane, as now laid out, and running thence binding on the south side of said Vineyard Lane, North 86°-32'-00" West 11.67 feet to intersect the north face of the north wall of the one story masonry building situate on the property known as No. 3010/20 Greenmount Avenue; thence binding along the north face of the north wall of the one story masonry building situate on said property, North 87°-54'-30" East 11.67 feet to the west side of Greenmount Avenue, and thence binding on the west side of said Greenmount Avenue, South 00°-21'-00" West 1.13 feet to the place of beginning.

Beginning for Parcel No. 2 at a point on the south side of Vineyard Lane, as now laid out, distant North 86°-32'-00" West 164.34 feet measured along the south side of said Vineyard Lane from the west side of Greenmount Avenue, 66 feet wide, and running thence binding on the south side of said Vineyard Lane, North 86°-32'-00" West 11.58 feet to intersect the southeast side of Vineyard Lane, as now laid out; thence binding on the southeast side of last said Vineyard Lane, South 40°-00'-00" West 52.31 feet to intersect the west face of the west wall of the one story masonry building situate on the property known as No. 3001 Vineyard Lane; thence binding along the west, northwest and north faces of the west, northwest and north walls respectively of the one story masonry building situate on said property the three following courses and distances; namely, North 00°-17'-00" East 1.11 feet, North 40°-12'-00" East 51.72 feet and South 86°-29'-00" East 11.82 to the northeasternmost corner of said building and thence binding along the east face of the east wall of the one story masonry building situate on said property, South 00°-17'-00" West 0.53 foot to the place of beginning.

All courses and distances in the above descriptions are referred to the true meridian as adopted by the Baltimore Survey Control System.

The said portions of Vineyard Lane as directed to be condemned being delineated and particularly shown on a plat numbered 347-A-27A which was filed in the Office of the Department of Public Works on the Eighth (8th) day, of September, in the year 1987, and is now on file in said Office.

SEC. 2. AND BE IT FURTHER ORDAINED, That after said highway or highways shall have been closed under the provisions of this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, shall be and continue to be the property of the Mayor and City Council of Baltimore, in fee simple, until the use thereof shall be abandoned by the Mayor and City Council of Baltimore, and in the event that any person, firm or corporation shall desire to remove, alter or interfere therewith, such person, firm or corporation shall first obtain permission and permits therefor from the Mayor and City Council of Baltimore, and shall in the application for such permission and permits agree to pay all costs and charges of every kind and nature made necessary by such removal, alteration or interference.

SEC. 3. AND BE IT FURTHER ORDAINED, That no buildings or structures of any kind shall be constructed or erected in said portion of said highway or highways after the same shall have been closed under the provisions of this Ordinance until the subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, over which said buildings or structures are proposed to be constructed or erected shall have been abandoned or shall have been removed and relaid in accordance with the specifications and under the direction of the Director of Public Works of Baltimore City, and at the expense of the person or persons or body corporate desiring to erect such buildings or structures. Railroad tracks shall be taken to be "structures" within the meaning of this section.

SEC. 4. AND BE IT FURTHER ORDAINED, That after said highway or highways shall have been closed under the provisions of this Ordinance, all subsurface structures and appurtenances owned by any person, firm or corporation, other than the Mayor and City Council of Baltimore, shall upon notice from the Director of Public Works of Baltimore City, be promptly removed by and at the expense of the said owners.

SEC. 5. AND BE IT FURTHER ORDAINED, That on and after the closing of said highway or highways, the said Mayor and City Council of Baltimore, acting through its duly authorized representatives, shall, at all times, have access to said property and to all subsurface structures and appurtenances used by it therein, for the purposes of inspection, maintenance, repair, alteration, relocation and/or replacement, of any or all of said structures and appurtenances, and this without permission from or compensation to the owner or owners of said land.

SEC. 6. AND BE IT FURTHER ORDAINED, That the proceedings of said Department of Public Works with reference to the condemnation and closing of said portions of Vineyard Lane and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1964 Revision) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SEC. 7. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect on the date of its enactment.

October 10, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 174

(Council No. 297)

AN ORDINANCE concerning

CITY PROPERTY - SALE

FOR the purpose of authorizing the Mayor and City Council of Baltimore to sell at either public or private sale all of the interest of the Mayor and City Council of Baltimore in and to a certain streets and an alley bounded by Fayette Street, Broadway, Baltimore Street, Bond Street, Fairmount Avenue and Dallas Street.

BY authority of
Article V - Comptroller
Section 5(b)
Baltimore City Charter (1964 Revision, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Comptroller of Baltimore City be and he is hereby authorized to sell at either public or private sale in accordance with Article V, Section 5(b) of the City Charter (1964 Revision, as amended), all of the interest of the Mayor and City Council of Baltimore in and to a certain streets and an alley bounded by Fayette Street, Broadway, Baltimore Street, Bond Street, Fairmount Avenue and Dallas Street.

Beginning for Parcel No. 1 at the point formed by the intersection of the west side of Bond Street, 70 feet wide, and the southeast side of Fayette Street, varying in width, and

running thence binding on the southeast side of said Fayette Street the two following courses and distances; namely, North 70°-25'-15" East 17.59 feet and North 70°-58'-50" East 55.40 feet to the east side of said Bond Street; thence binding on the east side of said Bond Street the two following courses and distances; namely, South 02°-43'-22" East 302.91 feet and Southerly 66 feet, more or less, to the south side of Fairmount Avenue, 66 feet, feet wide; thence by a straight line from the south side of said Fairmount Avenue, Westerly 71 feet, more or less, to the intersection formed by the north side of Fairmount Avenue and the west side of said Bond Street thence binding on the west side of said Bond Street, North 02°-43'-22" West 340.55 feet to the place of beginning.

Beginning for Parcel No. 2 at the point formed by the intersection of the north side of Fairmount Avenue, 66 feet wide, and the west side of Broadway, 130.67 feet wide, and running thence binding on the west side of said Broadway, South 02°-33'-40" East 66 feet, more or less, to south of Fairmount Avenue; thence binding on the south side of said Fairmount Avenue two following courses and distances: namely, South 86°-04'-19" West 241.55 feet and Westerly 202 feet, more or less, to the east side of Bond Street, 70 feet wide; thence binding on the east side of said Bond Street, Northerly 66 feet, more or less, to the north side of Fairmount Avenue and thence binding on the north side of said Fairmount Avenue the two following courses and distances: namely Easterly 192.00 feet and North 86°-04'-19" East 253.13 feet to the place of beginning.

Beginning for Parcel No. 3 at the point formed by the intersection of the south side of Fairmount Avenue, 66 feet wide, and the east side of Bethel Street, 20 feet wide, said point of beginning being distant South 86°-04'-19" West 221.55 feet measured along the south side of said Fairmount Avenue from Broadway and running thence binding on the east side of said Bethel Street, South 02°-43'-22" East 177.28 feet to the north side of a 20 foot alley, there situate; thence binding on the north side of said 20 foot alley, South 87°-19'-35" West 20.00 feet to the west side of said Bethel Street, thence binding on the west side of said Bethel Street, North 02°-43'-22" West 176.84 feet to the south side of said Fairmount Avenue and thence binding on the south side of said Fairmount Avenue North 86°-04'-19" East 20.00 feet to the place of beginning.

Beginning for Parcel No. 4 at the point formed by the intersection of the west side of Bethel Street, 20 feet wide, and the north side of a 20 foot alley laid out 177 feet, more or less, south of Fairmount Avenue, 66 feet wide, and running thence binding on the west side of said Bethel Street, South 02°-29'-11" East 20.00 feet to the south side of said 20 foot alley; thence binding on the south side of said alley, South 87°-19'-35" West 131.75 feet to the westernmost extremity of said alley; thence binding on the westernmost extremity of said alley, North 03°-01'-06" West 20.00 feet to the north side of said alley and

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thence binding on the north side of said alley, North 87°-19'-35" East 131.94 feet to the place of beginning.

Said property being no longer needed for public use.

SEC. 2. AND BE IT FURTHER ORDAINED, That no deed or deeds shall pass in accordance herewith until the same shall have been first approved by the City Solicitor.

SEC. 3. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

October 10, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 175

(Council No. 321)

AN ORDINANCE concerning

RESERVED PARKING ON

PENN STREET

For the purpose of providing for reserved parking on the east side of Penn Street near Pratt Street for persons conducting business with the Medical Examiners Office.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That on the east side of Penn Street from a point 46 feet north of Pratt Street to a point 91 feet north of Pratt Street, parking is reserved for persons conducting business with the Medical Examiners Office who display a permit.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

October 10, 1988

KURT L. SCHMOKE, Mayor

ENROLLED COPY

ORDINANCE NO. 176

(Council No. 76)

AN ORDINANCE concerning

REFUSE COLLECTION FROM CONDOMINIUMS AND COOPERATIVES

~~FOR the purpose of requiring the Director of Public Works to collect refuse from condominiums by means of dumpsters when necessary;~~

BY adding

Article 23 --- Sanitation

Section 5-(e)

Baltimore City Code (1983 Replacement Volume, as amended)

~~SECTION 1, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Section(s) of the Baltimore City Code (1983 Replacement Volume, as amended) be added, repealed, or amended to read as follows:~~

ARTICLE 23 --- SANITATION

~~5. Same, collection.~~

~~(e) COLLECTION OF DUMPSTERS. IT SHALL BE THE DUTY OF THE DIRECTOR OF PUBLIC WORKS TO COLLECT MIXED REFUSE FROM CONDOMINIUMS BY MEANS OF DUMPSTERS WHEN THE NUMBER OF UNITS IN THE CONDOMINIUM RESIDE REQUIRES THE USE OF MORE THAN EIGHT TWENTY-GALLON CONTAINERS PER WEEK IN ORDER TO PROTECT THE PUBLIC HEALTH.~~

~~Sec. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.~~

FOR the purpose of providing a procedure by which the Director of Public Works may collect refuse from condominiums and cooperatives.

By repealing and reordaining with amendments

Article 23 - Sanitation

Section 5(b)

Baltimore City Code (1983 Replacement Volume, as amended)

By adding

Article 23 - Sanitation

Section 6(c)

Baltimore City Code (1983 Replacement Volume, as amended)

WHEREAS, The Mayor and City Council would like to continue promotion of home ownership in Baltimore City; and

WHEREAS, There are systems of ownership for units which have developed known as "condominiums" and "cooperatives"; and

WHEREAS, Several multi-unit dwellings have been converted to condominiums and cooperatives and other new condominium and cooperative units are being constructed; and

WHEREAS, Mixed refuse is not being collected from most condominiums and cooperatives because the aggregate amount of mixed refuse accumulated exceeds the four twenty-gallon container per collection day limit per unit imposed by current law; and

WHEREAS, The Mayor and City Council believe that picking up mixed refuse from condominiums and cooperatives will encourage the conversion and construction of more condominiums and cooperatives in Baltimore City; and

WHEREAS, The further development of condominiums and cooperatives will increase the number of homeowners residing within Baltimore City; now, therefore, be it

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That section(s) of the Baltimore City Code (1983 Replacement Volume, as amended) be added, repealed, or amended, to read as follows:

ARTICLE 23 - SANITATION

5. SAME; COLLECTION.

(b) Restrictions. (1) the above limitations of eight twenty-gallon containers per week or four twenty-gallon containers per collection day may be exceeded by the Director of Public Works for certain CONDOMINIUMS, COOPERATIVES, AND multiple-family structures, other than apartment structures originally built as apartment structures, provided he is authorized to do so by the Board of Estimates, which shall base such authorization upon consideration of public health, safety and welfare.

(2) BEFORE REQUESTING AUTHORIZATION TO COLLECT MIXED REFUSE FROM A CONDOMINIUM OR A COOPERATIVE, THE DIRECTOR SHALL:

i. RECEIVE A WRITTEN REQUEST FOR SUCH SERVICES.

ii. RECEIVE DOCUMENTATION THAT MORE THAN 50% OF THE UNITS IN THE CONDOMINIUM OR COOPERATIVE COMPLEX ARE OWNER OCCUPIED AS A PRIMARY RESIDENCE.

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iii. HAVE A RIGHT OF ENTRY AGREEMENT WITH
THE CONDOMINIUM OR COOPERATIVE
ASSOCIATION.

iv. RECOMMEND A FEASIBLE MEANS TO COLLECT
MIXED REFUSE FROM THE CONDOMINIUM OR
COOPERATIVE.

(3) IN ORDER TO CONTINUE TO COLLECT MIXED REFUSE
FROM A CONDOMINIUM OR A COOPERATIVE, THE
DIRECTOR MUST RECEIVE BIENNIAL DOCUMENTATION
THAT THE MAJORITY OF THE UNITS ARE OWNER
OCCUPIED AS A PRIMARY RESIDENCE.

6. Definitions.

(C) CONDOMINIUM. A SYSTEM OF SEPARATE OWNERSHIP OF
INDIVIDUAL UNITS IN A MULTIPLE-UNIT BUILDING OR A
SERIES OF BUILDINGS.

(D) COOPERATIVE. A COOPERATIVE HOUSING CORPORATION
QUALIFIED IN MARYLAND IN WHICH EACH MEMBER, BY
VIRTUE OF OWNERSHIP OR MEMBERSHIP, HAS A
COOPERATIVE INTEREST IN THE CORPORATION.

SEC. 2 AND BE IT FURTHER ORDAINED, That this ordinance
shall take effect on January JULY 1, 1989.

November 1, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 177

(Council No. 279)

AN ORDINANCE concerning

RESERVED PARKING ON

HARGROVE ALLEY

For the purpose of providing for reserved parking on the west
side of Hargrove Alley for employees of the State's
Attorney's Office.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF
BALTIMORE, That on the west side of Hargrove Alley from Clay
Street to Dark Lane, parking is reserved for vehicles of the
State's Attorney's Office displaying permits.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

November 1, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 178

(Council No. 380)

AN ORDINANCE concerning

CITY PROPERTY - SALE

FOR the purpose of authorizing the Mayor and City Council of Baltimore to sell at either public or private sale all of the interest of the Mayor and City Council of Baltimore in and to that certain parcel of land no longer needed for highway or other public use known as the former beds of: (a) N. Front Street between N. Exeter Street and Forrest Street; (b) East Street between N. Front Street and Hillen Street; (c) Colvin Street between N. Front Street and Hillen Street.

BY authority of
Article V - Comptroller
Section 5(b)
Baltimore City Charter (1964 Revision, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Comptroller of Baltimore City be and he is hereby authorized to sell at either public or private sale in accordance with Article V, Section 5(b) of the City Charter (1964 Revision, as amended), all of the interest of the Mayor and City Council of Baltimore in and to that certain parcel of land situate in Baltimore, Maryland and described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the northwest side of Front Street, varying in width, and the southwest side of Forrest Street, varying in the width, and running thence binding on the southwest side of said Forrest Street, Southeasterly 45 feet, more or less, to intersect the southeast side of said Front Street; thence to binding on the southeast side of said Front Street, Southwesterly 21 feet, more or less, to the southeast side of Front Street, 40 feet wide; thence binding on the southeast side of last said Front Street, Southwesterly 469 feet, more or less, to a bend in the southeast side of last said Front Street, Southwesterly 198 feet, more or less, to intersect the northeast side of Exeter Street, varying in width; thence binding on the northeast side of said Exeter Street, Northwesterly 41 feet, more or less, to intersect the northwest side of last said Front Street, 40 feet wide; thence binding on the northwest side of last said Front Street, Northeasterly 206 feet, more or less, to a bend in the northwest side of last said Front Street and thence

binding in part on the northwest side of last said Front Street, in part on the northwest side of said Front Street, varying in width, and in all, Northeasterly 492 feet, more or less, to the place of beginning.

Beginning for Parcel No. 2 at the point formed by the intersection of the northeast side of East Street, 66 feet wide, and the northwest side of Hillen Street, 66 feet wide, and running thence binding on the northwest side of said Hillen Street, Southwesterly 66 feet to intersect the southwest side of said East Street; thence binding on the southwest side of said East Street, Northwesterly 315 feet, more or less, to intersect the southeast side of Front Street, 40 feet wide; thence binding on the southeast side of said Front Street, Northeasterly 68 feet, more or less, to intersect the northeast side of said East Street and thence binding on the northeast side of said East Street, Southeasterly 299 feet, more or less, to the place of beginning.

Beginning for Parcel No. 3 at the point formed by the intersection of the northeast side of Colvin Street, 66 feet wide, and the northwest side of Hillen Street, 66 feet wide, and running thence binding on the northwest side of said Hillen Street, Southwesterly 66 feet to intersect the southwest side of said Colvin Street, thence binding on the southwest side of said Colvin Street, Northwesterly 374 feet, more or less, to intersect the southeast side of Front Street, 40 feet wide; thence binding on the southeast side of said Front Street, Northeasterly 36 feet, more or less, to a bend in the southeast side of said Front Street; thence continuing to bind on the southeast side of said Front Street, Northeasterly 32 feet, more or less, to intersect the northeast side of said Colvin Street and thence binding on the northeast side of said Colvin Street, Southeasterly 361 feet, more or less, to the place of beginning.

Said property being no longer needed for public use.

SEC. 2. AND BE IT FURTHER ORDAINED, That no deed or deeds shall pass in accordance herewith until the same shall have been first approved by the City Solicitor.

SEC. 3. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

November 1, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 179

(Council No. 310)

AN ORDINANCE concerning

ZONING - APPROVAL FOR CONDITIONAL USE
HOME FOR HOMELESS PERSONS - 701 S. CHARLES STREET

FOR the purpose of granting permission for the establishment, maintenance and operation of a home for homeless persons on the property known as 701 S. Charles Street, as outlined in red on the plats accompanying this ordinance, subject to certain conditions.

BY authority of

Article 30 - Zoning

Sections 6.5-1d and 11.0-6d

Baltimore City Code (1983 Replacement Volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission is hereby granted to the Coalition of Peninsula Organizations/South Baltimore Task Force for the establishment, maintenance and operation of a home for homeless on the property known as 701 S. Charles Street, as outlined in red on the plats accompanying this ordinance, under the provisions of Sections 6.5-1d and 11.0-6d of Article 30 of the Baltimore City Code (1983 Replacement Volume, as amended) title "Zoning", subject to the conditions that the home shall be in operation only from November 1, 1988, to April 1, 1989 and that it shall house no more than 50 persons at one time.

SEC. 2. AND BE IT FURTHER ORDAINED, That the permission granted by this ordinance is subject to the condition that the Coalition of Peninsula Organizations/South Baltimore Task Force send by certified mail to the following neighborhood groups a notice containing the name and 24 hours a day telephone number of a resident agent of the home who may be contacted in case of an emergency or other problem:

Federal Hill Neighborhood Association, Inc.
Otterbein Community Association, Inc.
Harbor Walk Townhouse Association
Coalition of Peninsula Organizations (COPU)
Harbor Way East
Harbor Court.

SEC. 2 3 . AND BE IT FURTHER ORDAINED, That upon passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof and in order to give notice to the departments which are administering the Zoning Ordinance, the President of the City Council shall sign the plat and when the Mayor approves the ordinance, he shall sign the plat. The Director of Finance shall then transmit a copy of the

ordinance and one of the plats to the following: the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of the Department of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SEC. 3 4. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th-day-after-the date of its enactment.

November 4, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 180

(Council No. 42)

AN ORDINANCE concerning

Metropolitan District Extension No. 103

FOR the purpose of consenting to and approving a Petition for the Extension of the Metropolitan District of Baltimore County to a tract of land consisting of 2.893 acres in the Second Election District of Baltimore County located in the vicinity of Marriottsville Road, District C2 (Hernwood Estates) and in accordance with the provisions of Chapter 539 of the Acts of the General Assembly of Maryland of 1924, as amended by Chapter 515 of the Acts of 1955.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Petition for the extension of the Metropolitan District of Baltimore County to a tract of land in the Second Election District of Baltimore County located in the vicinity of Marriottsville Road, District C2 (Hernwood Estates), more particularly shown on a plat filed in the Department of Public Works of Baltimore County numbered 87-002, is in accordance with the authority granted by Chapter 539 of the Acts of the General Assembly of Maryland 1924, and amended by Chapter 515 of the Acts of 1955 hereby consented to and approved.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

November 10, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 181

(Council No. 43)

AN ORDINANCE concerning

Metropolitan District Extension No. 104

FOR the purpose of consenting to and approving a Petition for the Extension of the Metropolitan District of Baltimore County to a tract of land consisting of 18.186 acres in the Second Election District of Baltimore County located in the vicinity of Green Lane, District C2 (Randall/Griswold Property) and in accordance with the provisions of Chapter 539 of the Acts of the General Assembly of Maryland of 1924, as amended by Chapter 515 of the Acts of 1955.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Petition for the extension of the Metropolitan District of Baltimore County to a tract of land in the Second Election District of Baltimore County located in the vicinity of Green Lane District C2 (Randall/Griswold Property), more particularly shown on a plat filed in the Department of Public Works of Baltimore County numbered 87-001, is in accordance with the authority granted by Chapter 539 of the Acts of the General Assembly of Maryland of 1924, and amended by Chapter 515 of the Acts of 1955 hereby consented to and approved.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

November 10, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 182

(Council No. 290)

AN ORDINANCE concerning

ZONING - APPROVAL FOR CONDITIONAL USE
HOME FOR HOMELESS PERSONS/RESIDENTIAL EMERGENCY DIAGNOSTIC
CENTER - 2041 E. FAYETTE STREET

FOR the purpose of granting permission for the establishment, maintenance and operation of a home for homeless persons/residential emergency diagnostic center on the property known as 2041 E. Fayette Street, as outlined in red on the plats accompanying this ordinance, subject to certain conditions.

BY authority of
Article 30 - Zoning
Sections 4.8-1d and 11.0-6d
Baltimore City Code (1983 Replacement Volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE , That permission is hereby granted to Woodbourne, Inc. for the establishment, maintenance and operation of a home for homeless persons on the property known as 2041 E. Fayette Street, as outlined in red on the plats accompanying this ordinance, under the provisions of Sections 4.8-1d and 11.0-6d of Article 30 of the Baltimore City Code (1983 Replacement Volume, as amended) title "Zoning", subject to the conditions that the center shall house a maximum of 50 children, ages 0-14, and that no child shall reside there for more than 60 days.

SEC. 2. AND BE IT FURTHER ORDAINED, That upon passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof and in order to give notice to the departments which are administering the Zoning Ordinance, the President of the City Council shall sign the plat and when the Mayor approves the ordinance, he shall sign the plat. The Director of Finance shall then transmit a copy of the ordinance and one of the plats to the following: the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of the Department of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SEC. 3. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th day after the date of its enactment.

November 10, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 183

(Council No. 291)

AN ORDINANCE concerning

ZONING - APPROVAL FOR CONDITIONAL USE
HOME FOR HOMELESS PERSONS - 424-426 N. DUNCAN STREET
AND 425 N. CHESTER STREET

FOR the purpose of granting permission for the establishment, maintenance and operation of a home for homeless persons on the properties known as 424-426 N. Duncan Street and 425 N. Chester Street, as outlined in red on the plats accompanying this ordinance.

Ord. No. 184

BY authority of

Article 30 - Zoning

Sections 4.8-1d and 11.0-6d

Baltimore City Code (1983 Replacement Volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE , That permission is hereby granted for the establishment, maintenance and operation of a home for homeless persons on the properties known as 424-426 N. Duncan Street and 425 N. Chester Street, as outlined in red on the plats accompanying this ordinance, under the provisions of Sections 4.8-1d and 11.0-6d of Article 30 of the Baltimore City Code (1983 Replacement Volume, as amended) title "Zoning".

SEC. 2. AND BE IT FURTHER ORDAINED, That upon passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof and in order to give notice to the departments which are administering the Zoning Ordinance, the President of the City Council shall sign the plat and when the Mayor approves the ordinance, he shall sign the plat. The Director of Finance shall then transmit a copy of the ordinance and one of the plats to the following: the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of the Department of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SEC. 3. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th-day-after-the date of its enactment.

November 10, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 184

(Council No. 333)

AN ORDINANCE concerning

CITY STREET - CHANGE OF NAME

FOR the purpose of changing the name of Piperidge Road beginning at Springarden Drive and running thence northwesterly to Tamarind Road, the new name of Piperidge Road to be Tamarind Road.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the name of that portion of Piperidge Road beginning at Springarden Drive and running thence northwesterly to Tamarind Road and it is hereby changed, and that the said portion of Piperidge Road shall hereafter be known as Tamarind Road.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect on the 30th day after the date of its enactment.

November 10, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 185

(Council No. 334)

AN ORDINANCE concerning

CITY STREET - CHANGE OF NAME

FOR the purpose of changing the name of Springarden Drive beginning at W. Cold Spring Lane and running thence northerly to Piperidge Road, the new name of that portion of Springarden Drive to be Tamarind Road.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the name of that portion of Springarden Drive beginning at W. Cold Spring Lane and running thence northerly to Piperidge Road be and it is hereby changed, and that the said portion of Springarden Drive shall thereafter be known as Tamarind Road.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect on the 30th day after the date of its enactment.

November 10, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 186

(Council No. 349)

AN ORDINANCE concerning

URBAN RENEWAL - GREENMOUNT WEST -
AMENDMENT NO. 4

FOR the purpose of amending the Urban Renewal Plan for Greenmount West to, among other things, authorize the acquisition of certain properties in the 400 block of E. Federal Street and the 400 block of E. Layfayette Avenue; create and/or expand certain disposition lots; change the land use from public to residential for the property known as 425 E. Federal Street; revised certain ~~Appendix-and~~ Exhibits attached to the Plan to reflect changes proposed herein; waive such

requirements, if any, as to content or procedure for the preparation, adoption, and approval of renewal plans as set forth in Article 13 of the Baltimore City Code which the amended Plan may not meet; provide for the separability of the various parts and the applications of this Ordinance; provide that where the provisions of this Ordinance shall conflict with any other ordinance, code or regulation in force in the City of Baltimore, the provision which establishes the higher standard shall prevail; and provide for an effective date hereof.

WHEREAS, An Urban Renewal Plan for Greenmount West was originally approved by the Mayor and City Council of Baltimore by Ordinance No. 699, dated April 17, 1978 and amended by Ordinance No. 261, dated March 26, 1981 and Ordinance No. 626, dated March 13, 1986; and Ordinance No. 151 dated July 6, 1988; and

WHEREAS, It is necessary to amend the Urban Renewal Plan for Greenmount West to acquire properties in the 400 block of E. Federal Street and the 400 block of E. Lafayette Avenue; create expand a Residential Disposition Lots ~~for~~ to include the properties known as 433 through-439 and 435 E. Lafayette Avenue and create a Disposition Lot for the property known as 425 E. Federal Street; change the land use from public to residential for the property known as 425 E. Federal Street.

WHEREAS, Pursuant to Article 13 of the Baltimore City Code (1983 Replacement Volume, as amended), no substantial change or changes shall be made in any renewal plan, after approval by ordinance, without such change or changes first being adopted and approved in the same manner as set forth in said Article 13 for the approval of a renewal plan; and

WHEREAS, in accordance with the provisions of Section 25(h) of said Article 13, when a Councilmember initiates an amendment to an existing renewal plan, such bill shall be sent to the Department of Housing and Community Development and to the Planning Commission for recommendation and report; now, therefore,

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the amended Urban Renewal Plan for Greenmount West, identified as "Urban Renewal Plan, Greenmount West ..., revised to include Amendment No. 4, dated September 19, 1988", is hereby approved and the Clerk of the City Council is hereby directed to file a copy of said amended Urban Renewal Plan with the Department of Legislative Reference as a permanent public record and to make the same available for public inspection and information.

SEC. 2. AND BE IT FURTHER ORDAINED, That it is necessary to acquire, by purchase or by condemnation, for urban renewal purposes, the fee simple interest or any lesser interest in and to certain properties or portions thereof, together with all right, title, interest and estate that the owner or owners of

said property interests may have in all streets, alleys, ways or lanes, public or private, both abutting the whole area described and/or contained within the perimeter of said area, situate in Baltimore City, Maryland, and described as follows:

425 E. Federal Street
433 E. Lafayette Avenue
435 E. Lafayette Avenue

SEC. 3. AND BE IT FURTHER ORDAINED, That the Real Estate Acquisition Division of the Department of the Comptroller, or such person or persons and in such manner as the Board of Estimates, in the exercise of the power vested in it by Article V, Section 5, of the Baltimore City Charter, may hereafter from time to time designate, is or are authorized to acquire on behalf of the Mayor and City Council of Baltimore and for the purposes described in this Ordinance the fee simple interest or any lesser interest in and to the properties or portions thereof hereinabove mentioned. If the said Division, person or persons is or are unable to agree with the owner or owners on the purchase price for said properties or portions thereof, it or they shall forthwith notify the City Solicitor of Baltimore City, who shall thereupon institute in the name of the Mayor and City Council of Baltimore the necessary legal proceedings to acquire by condemnation the fee simple interest or any lesser interest in and to said properties or portions thereof.

SEC. 4. AND BE IT FURTHER ORDAINED, That ~~it is hereby recommended that~~ Disposition lot 10 for residential use be ~~created for~~ expanded to include the properties known as 433 ~~through-439~~ and 435 E. Lafayette Avenue; and that Disposition Lot 12 be created for the property known as 425 E. Federal Street as well as a change in its land use from Public to Residential.

SEC. 5. AND BE IT FURTHER ORDAINED, That the following revised ~~Appendix and~~ Exhibits are hereby approved: Appendix-A, Properties for Acquisition and Disposition for Rehabilitation; Exhibit 1, Land Use Plan Map; Exhibit 2, Property Acquisition Map; and Exhibit 3, Land Disposition Map; and Exhibit 4, Zoning Districts Map; all Exhibits dated as revised 9/19/88.

SEC. 6. AND BE IT FURTHER ORDAINED, That in whatever respect, if any, the said amended Renewal Plan approved hereby may not meet the requirements as to the content of a renewal plan or the procedures for the preparation, adoption, and approval of renewal plans, as provided in Article 13 of the Baltimore City Code (1983 Replacement Volume, as amended), the said requirements are hereby waived and the amended Renewal Plan approved hereby is exempted therefrom.

SEC. 7. AND BE IT FURTHER ORDAINED, That in the event it be judicially determined that any word, phrase, clause, sentence, paragraph, section or part in or of this Ordinance, or the application thereof to any person or circumstances is invalid, the remaining provisions and the application of such provisions

to other persons or circumstances shall not be affected thereby, the Mayor and City Council hereby declaring that they would have ordained the remaining provisions of this Ordinance without the word, phrase, clause, sentence, paragraph, section or part, or the application thereof so held invalid.

SEC. 8. AND BE IT FURTHER ORDAINED, That in any case where a provision of this Ordinance concerns the same subject matter as an existing provision of any zoning, building, electrical, plumbing, health, fire or safety ordinance or code or regulation, the applicable provisions concerned shall be construed so as to give effect to each; provided, however, that if such provisions are found to be in irreconcilable conflict, the provision which establishes the higher standard for the promotion of the public health and safety shall prevail. In any case where a provision of this Ordinance is found to be in conflict with an existing provision of any other ordinance or code or regulation in force in the City of Baltimore which establishes a lower standard for the promotion and protection of the public health and safety, the provision of this Ordinance shall prevail, and the other existing provision of such other ordinance or code or regulation is hereby repealed to the extent that it may be found in conflict with this Ordinance.

SEC. 9. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect on the date of its enactment.

November 10, 1988

Kurt L. Schmoke, Mayor

ORDINANCE NO. 187

(Council No. 350)

AN ORDINANCE concerning

URBAN RENEWAL - RESERVOIR HILL
AMENDMENT NO. 10

FOR the purpose of amending the Urban Renewal Plan for Reservoir Hill to, among other things, authorize the acquisition of certain properties in the 900 block of Whitelock Street by the Mayor and City Council of Baltimore; grant the Commissioner the power to approve demolition of structures in the Whitelock Street Commercial District if rehabilitation is not feasible; approve ~~certain technical corrections to the plan;~~ or add or revise Appendices and Exhibits attached to the Urban Renewal Plan to reflect the changes provided herein; waive such requirements, if any, as to content or procedure for the preparation, adoption, and approval of renewal plans as set forth in Article 13 of the Baltimore City Code which the amended Plan may not meet; provide for the separability of the various parts and applications of this Ordinance; provide that where the

provisions of this Ordinance shall conflict with any other ordinance in force in the City of Baltimore, the provision which establishes the higher standard shall prevail; and provide for an effective date hereof.

WHEREAS, An Urban Renewal Plan for Reservoir Hill was originally approved by the Mayor and City Council of Baltimore by Ordinance No. 33, dated April 10, 1972 and amended by Ordinance 316, dated May 3, 1973; Ordinance 735, dated October 17, 1974; Ordinance 839, dated March 31, 1975; Ordinance 59, dated June 11, 1976; Ordinance 695, dated April 17, 1978; Ordinance 1054, dated June 18, 1979; Ordinance 60, dated June 2, 1980; Ordinance 1013, dated July 2, 1987; and Ordinance 93, dated June 27, 1988; and

WHEREAS, It is necessary to amend the Urban Renewal Plan for Reservoir Hill to acquire blighting properties; and grant the Commissioner certain demolition powers; and ~~make-certain technical-corrections;-and~~

WHEREAS, Pursuant to Article 13 of the Baltimore City Code (1983 Replacement Volume, as amended), no substantial change or changes shall be made in any renewal plan, after approval by ordinance, without such change or changes first being adopted and approved in the same manner as set forth in said Article 13 for the approval of a renewal plan; and

WHEREAS, In accordance with the provisions of Section 25(h) of said Article 13, when a Councilmember initiates an amendment to an existing renewal plan, such bill shall be sent to the Department of Housing and Community Development and to the Planning Commission for recommendation and report; now, therefore,

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the amended Urban Renewal Plan for Reservoir Hill, identified as "Urban Renewal Plan, Reservoir Hill, revised to include Amendment No. 10, dated September 19, 1988", having been duly reviewed and considered, is hereby approved and the Clerk of the City Council is hereby directed to file a copy of said amended Urban Renewal Plan with the Department of Legislative Reference as a permanent public record and to make the same available for public inspection and information.

SEC. 2. AND BE IT FURTHER ORDAINED, That it is necessary to acquire, by purchase or by condemnation, for urban renewal purposes, the fee simple interest or any lesser interest in and to certain properties or portions thereof, together with all right, title, interest and estate that the owner or owners of said property interests may have in all streets, alleys, ways or lanes, public or private, both abutting the whole area described and/or contained within the perimeter of said area, situate in Baltimore City, Maryland, and described as follows:

901/05 Whitelock Street
907 Whitelock Street
909 Whitelock Street
911 Whitelock Street
913 Whitelock Street
915 Whitelock Street
919 Whitelock Street
921 Whitelock Street
923 Whitelock Street
925/27 Whitelock Street
930 Whitelock Street
932 Whitelock Street
934 Whitelock Street
936 Whitelock Street
938 Whitelock Street
940 Whitelock Street
942/46 Whitelock Street
948/60 Whitelock Street

SEC. 3. AND BE IT FURTHER ORDAINED, That the Real Estate Acquisition Division of the Department of the Comptroller, or such person or persons and in such manner as the Board of Estimates, in the exercise of the power vested in it by Article V, Section 5, of the Baltimore City Charter, may hereafter from time to time designate, is or are authorized to acquire on behalf of the Mayor and City Council of Baltimore and for the purposes described in this Ordinance, the fee simple interest or any lesser interest in and to the properties or portions thereof hereinabove mentioned. If the said Division, person or persons is or are unable to agree with the owner or owners on the purchase price for said properties or portions thereof, it or they shall forthwith notify the City Solicitor of Baltimore City, who shall thereupon institute in the name of the Mayor and City Council of Baltimore the necessary legal proceedings to acquire by condemnation the fee simple interest or any lesser interest in and to said properties or portions thereof.

SEC. 4. AND BE IT FURTHER ORDAINED, That Appendix C is amended to read as follows:

EXTERIOR REHABILITATION STANDARDS

Over and above the codes and ordinances of Baltimore City and in addition to Appendix A, the following additional standards shall be applied to all properties, whether occupied or vacant, within the Whitelock Street Commercial District, which comprises the properties at 2401 and 2405 Linden Avenue and 901/05 through 925/27 and 930 through 948/60 Whitelock Street. In the event that rehabilitation of all or a portion of the structure or structures on these properties is not feasible, demolition may take place, subject to the written approval of the Commissioner of the Department of Housing and Community Development.

~~SEC. 5. AND BE IT FURTHER ORDAINED, That Appendix C--
Exterior Rehabilitation Standards as follows:~~

~~in B Windows --- 2 strike "windows" and substitute "window",
and~~

~~in C Storefronts --- 10 strike "non-metal" and substitute
"non-metal".~~

SEC. 5. And be it further ordained, That the following
revised Appendices and Exhibits are hereby approved: Appendix B.
Scattered Properties for Acquisition and Disposition for
Rehabilitation; Appendix C, Whitelock Street Commercial District
Properties and Exterior Rehabilitation Standards; Exhibit 2,
Property Acquisition Map; and Exhibit 3, Land Disposition Map,
all Exhibits dated as revised 9/19/88.

SEC. 6. AND BE IT FURTHER ORDAINED, That in whatever
respect, if any, the said amended Renewal Plan approved hereby
may not meet the requirements as to the content of a renewal plan
or the procedures for the preparation, adoption, and approval of
renewal plans, as provided in Article 13 of the Baltimore City
Code (1983 Replacement Volume, as amended), the said requirements
are hereby waived and the amended Renewal Plan approved hereby is
exempted therefrom.

SEC. 7. AND BE IT FURTHER ORDAINED, That in the event it be
judicially determined that any word, phrase, clause, sentence,
paragraph, section or part in or of this Ordinance, or the
application thereof to any person or circumstances is invalid,
the remaining provisions and the application of such provisions
to other persons or circumstances shall not be affected thereby,
the Mayor and City Council hereby declaring that they would have
ordained the remaining provisions of this ordinance without the
word, phrase, clause, sentence, paragraph, section or part, or
the application thereof so held invalid.

SEC. 8. AND BE IT FURTHER ORDAINED, That in any case where
a provision of this Ordinance concerns the same subject matter as
an existing provision of any zoning, building, electrical,
plumbing, health, fire or safety ordinance or code or regulation,
the applicable provisions concerned shall be construed so as to
give effect to each; provided, however, that if such provisions
are found to be in irreconcilable conflict, the provision which
establishes the higher standard for the promotion of the public
health and safety shall prevail. In any case where a provision
of this Ordinance is found to be in conflict with an existing
provision of any other ordinance or code or regulation in force
in the City of Baltimore which establishes a lower standard for
the promotion and protection of the public health and safety, the
provision of this Ordinance shall prevail, and the other existing
provision of such other ordinance or code or regulation is hereby
repealed to the extent that it may be found in conflict with this
Ordinance.

Ord. No. 188

SEC. 9. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect on the date of its enactment.

November 10, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 188

(Council No. 326)

AN Ordinance concerning

FLOODPLAIN MANAGEMENT

FOR for the purpose of establishing and delineating a Flood Plain District in the City of Baltimore, providing for the issuance of permits within the district, and imposing certain regulations on construction and development within the district.

By adding

New Article 7 - Floodplain Management
Baltimore City Code (1983 Replacement Volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That section(s) of the Baltimore City Code (1983 Replacement Volume, as amended) be added, repealed, or amended to read as follows:

ARTICLE 7 - FLOODPLAIN MANAGEMENT

ARTICLE I-- REGULATORY PROVISIONS

SECTION I: 1. SHORT TITLE

THIS ORDINANCE SHALL HEREAFTER BE REFERRED TO AS THE "CITY OF-BALTIMORE BALTIMORE CITY FLOODPLAIN MANAGEMENT ORDINANCE."

SECTION II: 2. FINDINGS AND INTENT

WHEREAS, CERTAIN AREAS OF THE ~~CITY-OF-BALTIMORE~~ BALTIMORE CITY ARE SUBJECT TO PERIODIC INUNDATION WHICH RESULTS IN LOSS OF LIFE AND PROPERTY, RISKS TO HEALTH AND SAFETY, DISRUPTION OF COMMERCE AND GOVERNMENTAL SERVICES, AND EXTRAORDINARY PUBLIC EXPENDITURES FOR ~~FLOOR~~ FLOOD PROTECTION AND RELIEF; AND

WHEREAS, FLOOD LOSSES AND ASSOCIATED LOSSES ARE CREATED BY STRUCTURES INAPPROPRIATELY LOCATED, INADEQUATELY ELEVATED OR OTHERWISE UNPROTECTED AND VULNERABLE TO FLOODS OR EROSION OR BY DEVELOPMENT WHICH INCREASES FLOOD OR EROSION DAMAGE TO OTHER LANDS OR DEVELOPMENT; AND

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WHEREAS, THE BIOLOGICAL VALUES OF FLOODPLAINS, PARTICULARLY TIDAL AND NON-TIDAL WETLANDS, CAN BE ADVERSELY AFFECTED BY FLOODPLAIN DEVELOPMENT; AND

WHEREAS, BALTIMORE CITY HAS THE RESPONSIBILITY UNDER THE FLOOD CONTROL AND WATERSHED MANAGEMENT ACT, SECTION 8-9A-01 ET SEQ., NATURAL RESOURCES ARTICLE OF THE ANNOTATED CODE OF MARYLAND, TO CONTROL FLOODPLAIN DEVELOPMENT IN ORDER TO PROTECT PERSONS AND PROPERTY FROM DANGER AND DESTRUCTION AND TO PRESERVE THE BIOLOGICAL VALUES AND ENVIRONMENTAL QUALITY OF THE WATERSHEDS OR PORTIONS THEREOF UNDER IT JURISDICTION; AND

WHEREAS, BALTIMORE CITY HAS THE RESPONSIBILITY UNDER THE NATIONAL FLOOD INSURANCE ACT OF 1968, AS AMENDED, AND THE FLOOD DISASTER PROTECTION ACT OF 1973, AS AMENDED, TO ADOPT AND ENFORCE FLOODPLAIN MANAGEMENT REGULATIONS WHICH MEET THE REQUIREMENTS OF 44 CODE OF FEDERAL REGULATIONS PARTS 55-77; ET SEQ., IN ORDER TO PARTICIPATE IN THE NATIONAL FLOOD INSURANCE PROGRAM AND REMAIN ELIGIBLE FOR FEDERALLY SUBSIDIZED FLOOD INSURANCE, FEDERAL DISASTER RELIEF, AND FEDERAL AND STATE FINANCIAL ASSISTANCE.

IT IS, THEREFORE, THE ~~PURPOSE-OF~~ INTENT OF THE MAYOR AND CITY COUNCIL BY THIS ORDINANCE TO PROTECT HUMAN LIFE AND HEALTH; TO MINIMIZE PUBLIC AND PRIVATE PROPERTY DAMAGE; TO ENCOURAGE THE UTILIZATION OF APPROPRIATE CONSTRUCTION PRACTICES IN ORDER TO PREVENT OR MINIMIZE FLOOD DAMAGE IN THE FUTURE; TO PROTECT INDIVIDUALS FROM UNWITTINGLY BUYING LANDS AND STRUCTURES WHICH ARE UNSUITED FOR INTENDED PURPOSES BECAUSE OF THE FLOOD HAZARDS; TO PROTECT WATER SUPPLY, SANITARY SEWAGE DISPOSAL, AND NATURAL DRAINAGE; TO REDUCE FINANCIAL BURDENS IMPOSED ON THE COMMUNITY, ITS GOVERNMENTAL UNITS, AND ITS RESIDENTS BY PREVENTING THE UNWISE DESIGN AND CONSTRUCTION OF DEVELOPMENT IN AREAS SUBJECT TO FLOODING; TO PROVIDE FOR PUBLIC AWARENESS OF THE FLOODING POTENTIAL; AND TO PROVIDE FOR THE BIOLOGICAL AND ENVIRONMENTAL QUALITY OF THE WATERSHEDS OR PORTIONS THEREOF LOCATED IN THE ~~CITY OF-BALTIMORE~~ BALTIMORE CITY. THE PROVISIONS OF THIS ORDINANCE PROVIDE AN A UNIFIED COMPREHENSIVE APPROACH TO FLOODPLAIN MANAGEMENT WHICH ADDRESSES REQUIREMENTS OF THE FEDERAL AND STATE PROGRAMS CONCERNED WITH FLOODPLAIN MANAGEMENT; NAMELY, THE NATIONAL FLOOD INSURANCE PROGRAM AND THE PRESIDENT'S EXECUTIVE ORDER 11988 OF MAY 27, 1977 ON FLOODPLAIN MANAGEMENT, THE STATE'S WATERWAY CONSTRUCTION PERMIT PROGRAM, THE STATE WETLANDS PERMIT PROGRAM, THE U.S. ARMY CORPS OF ENGINEERS' SECTION 10 AND SECTION 404 PERMIT PROGRAMS; AND THE STATE'S ~~EOSTAL~~ COASTAL ZONE MANAGEMENT PROGRAM.

SECTION-III: 3. DEFINITIONS

- A. "ACCESSORY/APPURTENANT STRUCTURE" MEANS A STRUCTURE WHICH IS ONE ON THE SAME PARCEL OF PROPERTY AS THE PRINCIPAL STRUCTURE, IS NO GREATER THAN 300 SQUARE FEET AND ONE 1 STORY, AND THE USE OF WHICH IS INCIDENTAL TO THE USE OF THE PRINCIPLE PRINCIPAL STRUCTURE.

- B. "BASEMENT" MEANS ANY AREA OF A BUILDING HAVING ITS FLOOR SUBGRADE (BELOW GROUND LEVEL) ON ALL SIDES.
- C. "BREAK AWAY WALL" MEANS A WALL THAT IS NOT PART OF THE STRUCTURAL SUPPORT OF THE BUILDING AND IS INTENDED THROUGH ITS DESIGN AND CONSTRUCTION TO COLLAPSE UNDER SPECIFIC LATERAL LOADING FORCES, WITHOUT CAUSING COLLAPSE, DISPLACEMENT, OR OTHER STRUCTURAL DAMAGE TO THE ELEVATED PORTION OF THE BUILDING OR SUPPORTING FOUNDATION SYSTEM. FOR THE PURPOSES OF THIS DEFINITION A BREAK AWAY WALL SHALL HAVE A DESIGN SAFE LOADING RESISTANCE OF NOT LESS THAN 10 AND NO MORE THAN 20 POUNDS PER SQUARE FOOT. SUCH ENCLOSED SPACE SHALL BE NO LOWER THAN GRADE AND SHALL BE USABLE SOLELY FOR PARKING OF VEHICLES, BUILDING ACCESS, OR STORAGE. IF A SEPARATE STORAGE AREA IS PROVIDED AT GRADE, SUCH AREA SHALL NOT EXCEED 300 SQUARE FEET. BREAK AWAY WALLS WHICH EXCEED THE ABOVE STATED SAFE LOADING RESISTANCE MAY BE PERMITTED ONLY IF A REGISTERED PROFESSIONAL ENGINEER OR ARCHITECT CERTIFIES THAT THE WALL SHALL COLLAPSE UNDER A FORCE LESS THAN THAT EXERTED BY A ~~ONE-HUNDRED-⁽¹⁰⁰⁾~~ 100 YEAR STORM IN THIS REGION WITHOUT JEOPARDIZING THE STRUCTURAL INTEGRITY OF THE SUPPORTING FOUNDATION. WHEN THE DESIGN SAFE LOADING RESISTANCE EXCEEDS 20 POUNDS PER SQUARE FOOT, BUT IS CERTIFIED TO COLLAPSE UNDER A FORCE LESS THAN THAT EXERTED BY THE 100 YEAR STORM, THE DESIGNED RESISTANCE MUST BE STATED CLEARLY AND CERTIFIED INDEPENDENTLY ON THE BUILDING PLANS. THE ~~ONE-HUNDRED-⁽¹⁰⁰⁾~~ 100 YEAR STORM MEANS THE STORM WHICH CAUSES THAT LEVEL OF FLOODING, WATER LOADS, WIND SPEEDS, DURATION, DIRECTION AND FORCES WHICH, WHEN ACTING SIMULTANEOUSLY, RESULT IN SEVERE BEACH EROSION AND OVERWASH AND HAVE A ~~ONE-~~1 PERCENT CHANCE OF OCCURRING EACH YEAR.
- D. "DEVELOPMENT" MEANS ANY MAN-MADE CHANGE TO IMPROVED OR UNIMPROVED REAL ESTATE, INCLUDING BUT NOT LIMITED TO ANY CONSTRUCTION, RECONSTRUCTION, MODIFICATION, EXTENSION OR EXPANSION OF BUILDINGS OR OTHER STRUCTURES, PLACEMENT OF FILL OR CONCRETE, CONSTRUCTION OF NEW OR REPLACEMENT INFRASTRUCTURE, DUMPING, MINING, DREDGING, GRADING, PAVING, DRILLING OPERATIONS, STORAGE OF MATERIALS, LAND EXCAVATION, LAND CLEARING, LAND IMPROVEMENT, LAND FILL OPERATION, OR ANY COMBINATION THEREOF. THIS TERM SHALL ALSO INCLUDE THE SUBDIVISION OF LAND.
- E. "OCCUPANCY PERMIT" ~~MEANS THE OFFICIAL FORM ISSUED BY THE CITY OF BALTIMORE CERTIFYING THAT THE STRUCTURE HAS BEEN BUILT CONSISTENT WITH PLANS APPROVED AND MAY BE LEGALLY OCCUPIED FOR THE AUTHORIZED USE~~ AN APPROVED BUILDING PERMIT WHICH CONTAINS ALL REQUIRED AUTHORIZATIONS SIGNIFYING COMPLIANCE WITH CITY CODES AND WHICH INDICATES OFFICIAL APPROVAL OF A BUILDING OR STRUCTURE FOR ITS AUTHORIZED USE.

- F. "ELEVATION CERTIFICATE" MEANS THE OFFICIAL FORM AS PREPARED AND DISTRIBUTED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY USING MEAN SEA LEVEL AS ESTABLISHED BY THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 ("NGVD" HEREINAFTER).
- G. "FLOOD" MEANS A TEMPORARY INUNDATION OF NORMALLY DRY LAND AREAS.
- H. "FLOODPLAIN" MEANS (1) A RELATIVELY FLAT OR LOW LAND AREA ADJOINING A RIVER, STREAM OR WATERCOURSE WHICH IS SUBJECT TO PARTIAL OR COMPLETE INUNDATION; (2) AN AREA SUBJECT TO THE UNUSUAL AND RAPID ACCUMULATION OR RUNOFF OF SURFACE WATERS FROM ANY SOURCE; OR (3) AN AREA SUBJECT TO TIDAL SURGE OR EXTREME TIDES.
- I. "FLOODPROOFING" MEANS ANY COMBINATION OF STRUCTURAL AND NON-STRUCTURAL ADDITIONS, CHANGES OR ADJUSTMENTS OF PROPERTIES AND STRUCTURES WHICH REDUCE OR ELIMINATE FLOOD DAMAGE TO LANDS, WATER AND SANITARY FACILITIES, STRUCTURES, AND CONTENTS OF BUILDINGS.
- J. ~~"FLOOD-RELATED-EROSION" MEANS THE COLLAPSE OR SUBSIDENCE OF LAND ALONG THE BANK OR SHORE OF A CREEK, STREAM, RIVER, BAY, LAKE, OCEAN OR OTHER BODY OF WATER AS A RESULT OF UNDERMINING CAUSED BY WAVES OR CURRENTS OF WATER EXCEEDING ANTICIPATED CYCLICAL LEVELS, OR SUDDENLY CAUSED BY AN UNUSUALLY HIGH WATER LEVEL IN A NATURAL BODY OF WATER, ACCOMPANIED BY A SEVERE STORM, OR BY AN UNANTICIPATED FORCE OF NATURE, SUCH AS A FLASH FLOOD OR AN ABNORMAL TIDAL SURGE, OR BY SOME SIMILARLY UNUSUAL EVENT WHICH RESULTS IN FLOODING.~~
- K. ~~"FLOOD-RELATED-EROSION-AREA" OR "FLOOD-RELATED-EROSION- PRONE AREA" MEANS A LAND AREA ADJOINING THE BANK OR SHORE --- OF A CREEK, STREAM, RIVER, BAY, LAKE, OCEAN OR OTHER BODY --- OF WATER, WHICH, DUE TO THE COMPOSITION OF THE SHORELINE --- OR BANK IN COMBINATION WITH HIGHWATER LEVELS OR WIND --- DRIVEN CURRENTS, IS LIKELY TO SUFFER FLOOD-RELATED-EROSION --- DAMAGE.~~
- B J. "LOWEST FLOOR" MEANS THE LOWEST FLOOR OF THE LOWEST ENCLOSED AREA (INCLUDING BASEMENT). AN UNFINISHED OR FLOOD RESISTANT ENCLOSURE, USABLE SOLELY FOR PARKING OF VEHICLES, BUILDING ACCESS OR STORAGE IN AN AREA OTHER THAN A BASEMENT AREA IS NOT CONSIDERED A BUILDING'S LOWEST FLOOR, PROVIDED THAT SUCH ENCLOSURE IS NOT BUILT SO AS TO RENDER THE STRUCTURE IN VIOLATION OF THE APPLICABLE NON-ELEVATION DESIGN REQUIREMENTS OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM.
- M K. "MANUFACTURED HOME OR BUILDING" MEANS A STRUCTURE, TRANSPORTABLE IN ONE OR MORE SECTIONS, WHICH IS BUILT ON A PERMANENT CHASSIS AND IS DESIGNED FOR USE WITH OR WITHOUT A PERMANENT FOUNDATION WHEN CONNECTED TO THE REQUIRED UTILITIES. FOR FLOODPLAIN MANAGEMENT PURPOSES THE TERM "MANUFACTURED HOME OR BUILDING" ALSO INCLUDES PARK TRAILERS,

TRAVEL TRAILERS, AND OTHER SIMILAR VEHICLES PLACE ON A SITE FOR MORE THAN 180 CONSECUTIVE DAYS.

- N L. "MANUFACTURED HOME PARK OR SUBDIVISION" MEANS A PARCEL OF OR CONTIGUOUS PARCELS OF LAND DIVIDED INTO TWO 2 OR MORE MANUFACTURED HOME LOTS FOR RENT OR SALE.
- O M. "NEW CONSTRUCTION" MEANS STRUCTURES FOR WHICH THE START OF CONSTRUCTION, AS HEREIN DEFINED, COMMENCED ON OR AFTER THE DATE OF ENTRY INTO THE REGULAR PROGRAM OR THE EFFECTIVE DATE OF THIS ORDINANCE, WHICHEVER OCCURRED FIRST A BUILDING PERMIT HAS BEEN ISSUED ON OR AFTER THE EFFECTIVE DATE OF THIS ORDINANCE SO LONG AS ACTUAL CONSTRUCTION COMMENCES WITHIN 360 DAYS OF THE PERMIT DATE. THE ACTUAL START OF CONSTRUCTION MEANS EITHER THE FIRST PLACEMENT OF PERMANENT CONSTRUCTION OF A STRUCTURE ON A SITE, SUCH AS THE POURING OF SLAB OR FOOTINGS, THE INSTALLATION OF PILES, THE CONSTRUCTION OF COLUMNS, OR ANY WORK BEYOND THE STAGE OF EXCAVATION, OR THE PLACEMENT OF A MANUFACTURED HOME ON A FOUNDATION. PERMANENT CONSTRUCTION DOES NOT INCLUDE LAND PREPARATION SUCH AS CLEARING, GRADING AND FILLING, THE INSTALLATION OF STREETS AND/OR WALKWAYS, EXCAVATION FOR BASEMENTS, FOOTINGS, PIERS, FOUNDATIONS, OR THE ERECTION OF TEMPORARY FORMS OR THE INSTALLATION ON THE PROPERTY OF ACCESSORY BUILDINGS.
- P N. "NON-CONFORMING STRUCTURES"- ANY LAWFULLY EXISTING BUILDING OR STRUCTURE WHICH DOES NOT COMPLY WITH THE APPLICABLE FLOODPLAIN REGULATIONS OF THE FLOOD-ZONE SUBDISTRICT IN WHICH IT IS LOCATED.
- Q O. "ONE-HUNDRED-~~(100)~~ 100 YEAR FLOOD" MEANS A FLOOD THAT HAS ONE 1 CHANCE IN ONE-HUNDRED 100 OR A ONE 1 PERCENT CHANCE OF BEING EQUALLED OR EXCEEDED IN ANY GIVEN YEAR.
- R- "PERMANENT-CONSTRUCTION"-MEANS-ANY-STRUCTURE-BUILT-OR-PLACED ON-A-SITE-FOR-MORE-THAN-180-CONSECUTIVE-DAYS-
- S P. "PRINCIPALLY ABOVE GROUND" MEANS A STRUCTURES WITH AT LEAST 51 PERCENT OF THE ACTUAL-CASH-VALUE FAIR MARKET VALUE OF THE STRUCTURES, LESS LAND VALUE, ABOVE GROUND.
- T Q. "STRUCTURE" MEANS A WALLED AND/OR ROOFED BUILDING, INCLUDING, BUT NOT LIMITED TO, A GAS OR LIQUID STORAGE TANK, A BUILDING FOUNDATION, PLATFORM, DECK, SWIMMING POOL, BULKHEAD OR GREENHOUSE THAT IS PRINCIPALLY ABOVE GROUND AND AFFIXED TO A PERMANENT SITE OR LOCATION.
- U R. "SUBDIVISION" MEANS THE DIVISION OR REDIVISION OF LOTS, TRACTS, OR PARCELS OF LAND BY ANY MEANS INTO TWO 2 OR MORE LOTS, TRACTS, PARCELS OR OTHER DIVISIONS OF LAND, INCLUDING A CHANGE IN EXISTING LOT LINES FOR THE PURPOSE, WHETHER IMMEDIATE OR FUTURE, OF LEASE, TRANSFER OF OWNERSHIP, BUILDING OR LOT DEVELOPMENT.

V S. "SUBSTANTIAL IMPROVEMENT" MEANS ANY REPAIR, RECONSTRUCTION, OR IMPROVEMENT OF A STRUCTURE, THE COST OF WHICH EQUALS OR EXCEEDS 50 PERCENT OF THE FAIR MARKET VALUE OF THE STRUCTURE EITHER: (1) BEFORE THE IMPROVEMENT OR REPAIR IS STARTED; OR (2) IF THE STRUCTURE HAS BEEN DAMAGED AND IS BEING RESTORED, BEFORE THE DAMAGE OCCURRED. FOR THE PURPOSE OF THIS DEFINITION "SUBSTANTIAL IMPROVEMENT" IS CONSIDERED TO OCCUR WHEN THE FIRST ALTERATION OF ANY WALL, CEILING, FLOOR, OR OTHER STRUCTURAL PART OF THE BUILDING COMMENCES, WHETHER OR NOT THAT ALTERATION AFFECTS THE EXTERNAL DIMENSIONS OF THE STRUCTURE. THE TERM DOES NOT, HOWEVER, INCLUDE EITHER: (1) ANY PROJECT FOR IMPROVEMENT OF A STRUCTURE TO COMPLY WITH EXISTING STATE OR LOCAL HEALTH, SANITARY, OR SAFETY CODE SPECIFICATIONS WHICH ARE SOLELY NECESSARY TO ASSURE SAFE LIVING CONDITIONS; OR (2) ANY ALTERATION OF A STRUCTURE LISTED ON THE NATIONAL REGISTER OF HISTORIC PLACES OR THE STATE INVENTORY OF HISTORIC PLACES OR THE CITY LANDMARK LIST.

W T. "TEMPORARY DEVELOPMENT" MEANS ANY BUILDING, CONSTRUCTION, AND/OR ASSEMBLAGE OF STRUCTURES, SUCH AS CONSTRUCTION SHEDS, SEATS, CANOPIES, TENTS AND FENCES USED IN CONSTRUCTION WORK OR FOR TEMPORARY PURPOSES, SUCH AS REVIEWING STANDS, FAIRS, CARNIVALS, OR FLEA MARKETS, WHICH ARE COMPLETELY REMOVED UPON THE EXPIRATION OF 180 DAYS OR LESS AS STATED IN THE PERMIT.

X U. "VARIANCE" MEANS THE GRANT OF RELIEF FROM THE TERMS OF THIS FLOODPLAIN MANAGEMENT ORDINANCE.

Y- "WETLAND"-MEANS-ANY-LAND-WHICH-IS-(1)-CONSIDERED-"PRIVATE WETLAND"-OR-"STATE-WETLAND"-PURSUANT-TO-TITLE-9,-WETLANDS AND-RIPARIAN-RIGHTS,-NATURAL-RESOURCES-ARTICLE,-ANNOTATED CODE-OF-MARYLAND,-OR-(2)-DEFINED-AS-"WETLAND"-BY-THE-U.S. FISH-AND-WILDLIFE-SERVICE-IDENTIFICATION-AND-CLASSIFICATION PROCEDURES.

SECTION-IV: 4. ESTABLISHMENT OF FLOODPLAIN DISTRICT

A. THE CITY COUNCIL SHALL ESTABLISH A FLOODPLAIN DISTRICT AND AN OFFICIAL FLOODPLAIN MAP TO INCLUDE ALL AREAS SUBJECT TO INUNDATION BY THE WATERS OF THE ONE-HUNDRED-(100) 100 YEAR FLOOD. THE SOURCE OF THIS DELINEATION SHALL BE AT A MINIMUM, DATA CONTAINED IN THE MOST RECENT FLOOD INSURANCE STUDY FOR THE-CITY-OF-BALTIMORE BALTIMORE CITY, AND ILLUSTRATED IN THE "FLOOD INSURANCE RATE MAPS" AND THE "FLOOD BOUNDARY AND FLOODWAY MAPS". THE FLOODPLAIN DISTRICT AND THE OFFICIAL FLOODPLAIN MAP SHALL BE DEEMED AN OVERLAY ON ANY EXISTING, AND HEREAFTER ESTABLISHED, ZONES OR DISTRICTS WITHIN BALTIMORE CITY IN ACCORDANCE WITH THE ZONING ORDINANCE OF BALTIMORE CITY. THE FLOODPLAIN DISTRICT AND THE OFFICIAL FLOODPLAIN MAP ARE ESTABLISHED WITH EMPHASIS ON THE ONE-HUNDRED-YEAR-(100) 100 YEAR FLOOD ELEVATION WHERE DEFINED RATHER THAN THE AREA GRAPHICALLY DELINEATED ON THE OFFICIAL FLOODPLAIN MAPS.

B. THE FLOODPLAIN DISTRICT SHALL BE COMPRISED OF THE FOLLOWING SUB-DISTRICTS SUBDISTRICTS:

- (1) FLOODWAY (F1) - THAT PORTION OF THE FLOODPLAIN DISTRICT REQUIRED TO CARRY AND DISCHARGE THE WATERS OF THE ONE HUNDRED-+100+ 100 YEAR FLOOD WITHOUT INCREASING THE WATER SURFACE ELEVATION AT ANY POINT MORE THAN ONE-+1+ 1 FOOT ABOVE EXISTING ONE-HUNDRED-+100+ 100 YEAR FLOOD CONDITIONS. THE FLOODWAY APPEARS ON THE "FLOOD BOUNDARY AND FLOODWAY MAPS". THIS TERM SHALL ALSO INCLUDE FLOODWAYS AS ESTABLISHED BY ARTICLE I, SECTION V-e-1-OF-THIS-ORDINANCE.
- (2) FLOODWAY FRINGE (ZONE "A" WITH BASE FLOOD ELEVATION (F2)) - THOSE PORTIONS OF LAND WITHIN THE FLOODPLAIN DISTRICT SUBJECT TO INUNDATION BY THE ONE-HUNDRED-+100+ 100 YEAR FLOOD, LYING BEYOND THE FLOODWAY (WHERE A FLOODWAY HAS BEEN DETERMINED) OR IN AREAS WHERE DETAILED STUDY DATA, PROFILES, AND ONE-HUNDRED-+100+ 100 YEAR FLOOD ELEVATIONS HAVE BEEN ESTABLISHED. THE FLOODWAY FRINGE APPEARS ON THE "FLOOD BOUNDARY AND FLOODWAY MAPS" AND "FLOOD INSURANCE RATE MAPS".
- (3) APPROXIMATE FLOODPLAIN (F3) - THOSE PORTIONS OF LAND WITHIN THE FLOODPLAIN DISTRICT SUBJECT TO INUNDATION BY THE ONE-HUNDRED-+100+ 100 YEAR FLOOD, WHERE A DETAILED STUDY HAS NOT BEEN PERFORMED BUT WHERE A ONE-HUNDRED-+100+ 100 YEAR FLOODPLAIN BOUNDARY HAS BEEN APPROXIMATED. A ONE-HUNDRED-+100+ 100 YEAR FLOOD ELEVATION SHALL BE ESTABLISHED AFTER CONSIDERATION OF ANY FLOOD ELEVATION AND FLOODWAY DATA AVAILABLE FROM FEDERAL, STATE, OR OTHER SOURCES. THE APPROXIMATE FLOODPLAIN APPEARS ON BOTH THE "FLOOD INSURANCE RATE MAPS" AND "FLOOD BOUNDARY AND FLOODWAY MAPS" AND MAY APPEAR ON ALL PANELS AS ZONE A.
- (4) COASTAL FLOODZONE-+CFZ+ COASTAL FLOODPLAIN (CFP) - THOSE PORTIONS OF THE FLOODPLAIN DISTRICT SUBJECT TO COASTAL COASTAL OR TIDAL FLOODING BY A ONE-HUNDRED-+100+ 100 YEAR FLOOD, WHERE DETAILED STUDY DATA ARE AVAILABLE. THE COASTAL COASTAL FLOODPLAIN APPEARS ON THE "FLOOD INSURANCE RATE MAPS" AS ZONES A, AE, AND A1 - A30.
- (5) COASTAL COASTAL HIGH HAZARD AREA (CHHA) - THOSE PORTIONS OF LAND WITHIN THE FLOODPLAIN DISTRICT, SUBJECT TO INUNDATION BY COASTAL COASTAL OR TIDAL FLOODING WITH HIGH VELOCITY WATERS AND WAVE ACTION. THE COASTAL COASTAL HIGH HAZARD AREA APPEARS ON THE "FLOOD INSURANCE RATE MAPS" AS ZONE V, VE, AND V1 - V30.
- (6) SHALLOW FLOODZONE-+SFZ+ FLOODPLAIN (SFP) - THOSE PORTIONS OF LAND WITHIN THE FLOODPLAIN DISTRICT WITH ONE-HUNDRED-+100+ 100 YEAR FLOOD DEPTHS FROM ONE 1 TO TWO 2 FEET WHERE A CLEARLY DEFINED CHANNEL DOES NOT

EXIST, WHERE THE PATH OF FLOODING IS UNPREDICTABLE AND WHERE VELOCITY FLOW MAY BE EVIDENT.

- C. THE OFFICIAL FLOODPLAIN MAP SHALL BE THE MOST CURRENT "FLOOD INSURANCE RATE MAPS" AND "FLOOD BOUNDARY AND FLOODWAY MAPS" AS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. THE OFFICIAL FLOODPLAIN MAP WHICH REFLECTS THE BOUNDARIES OF THE FLOODPLAIN DISTRICT AND ITS SUBDISTRICTS SHALL BE PREPARED AND MAINTAINED BY THE DEPARTMENT OF PLANNING, AND INCORPORATED BY REFERENCE HEREIN AS PART OF THIS ORDINANCE.
- D. THE DELINEATION OF THE FLOODPLAIN DISTRICT MAY BE REVISED, AMENDED AND MODIFIED BY THE ~~CITY OF BALTIMORE~~ BALTIMORE CITY IN COMPLIANCE WITH THE NATIONAL FLOOD INSURANCE PROGRAM AND THE MARYLAND DEPARTMENT OF NATURAL RESOURCES, WHEN:
- (1) THERE ARE CHANGES THROUGH NATURAL OR OTHER CAUSES TO FLOOD ELEVATIONS AND BOUNDARIES; AND/OR
 - (2) CHANGES ARE INDICATED BY ~~DETAILED~~ DETAILED HYDROLOGIC AND HYDRAULIC INFORMATION AND STUDIES.

AS SOON AS PRACTICABLE, BUT NOT LATER THAN ~~SIX (6)~~ 6 MONTHS AFTER THE DATES SUCH INFORMATION BECOMES AVAILABLE, THE DEPARTMENT OF PLANNING SHALL NOTIFY THE FEDERAL INSURANCE ADMINISTRATOR OF THE CHANGES BY SUBMITTING TECHNICAL AND SCIENTIFIC DATA IN ACCORDANCE WITH THE 44 CODE OF FEDERAL REGULATIONS, PART 65. ALL SUCH CHANGES SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND THE MARYLAND DEPARTMENT OF NATURAL RESOURCES.

- E. SHOULD A DISPUTE CONCERNING ANY FLOODPLAIN DISTRICT BOUNDARY ARISE, AN INITIAL DETERMINATION SHALL BE MADE BY THE DEPARTMENT OF PLANNING. ANY PARTY AGGRIEVED BY THIS DECISION MAY APPEAL TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY. THE BURDEN OF PROOF IS ON THE APPELLANT.

SECTION-V: 5. DEVELOPMENT REGULATIONS

IN ORDER TO PREVENT EXCESSIVE DAMAGE TO BUILDINGS AND STRUCTURES, THE FOLLOWING RESTRICTIONS SHALL APPLY TO ALL NEW CONSTRUCTION AND SUBSTANTIAL IMPROVEMENTS TO EXISTING STRUCTURES OCCURRING IN THE FLOODPLAIN DISTRICT. IN THE EVENT A PROPOSED BUILDING, STRUCTURE, OR SUBSTANTIAL IMPROVEMENT IS SITED IN TWO 2 DIFFERENT SUBDISTRICTS OR IN A SUBDISTRICT WITH TWO 2 DIFFERENT 100 YEAR FLOOD ELEVATIONS THE MOST RESTRICTIVE REGULATION AND/OR HIGHER FLOOD ELEVATIONS, ~~THE MORE RESTRICTIVE~~ ELEVATION SHALL PREVAIL.

~~A. IN THE FLOODWAY (F1) THE FOLLOWING REGULATIONS SHALL APPLY:~~

~~1. ALL RESIDENTIAL DEVELOPMENT SHALL BE PROHIBITED.~~

2.-NO-OTHER-DEVELOPMENT-SHALL-BE-PERMITTED-EXCEPT-WHERE-THE-EFFECT-OF-SUCH-DEVELOPMENT-ON-FLOOD-HEIGHTS-IS-FULLY-OFFSET-BY-ACCOMPANYING-STREAM-MODIFICATION-AND-THE-DEVELOPMENT-IS-APPROVED-BY-ALL-APPROPRIATE-LOCAL-AUTHORITIES,-MARYLAND'S-WATER-RESOURCES-ADMINISTRATION-AND-THE-U.S.-ARMY-CORPS-OF-ENGINEERS-

3.-ALL-PROPOSALS-TO-OFFSET-THE-EFFECT-OF-DEVELOPMENT-IN-THE-FLOODWAY-BY-CONSTRUCTION-OF-STREAM-MODIFICATIONS-SHALL-BE-DOCUMENTED-BY-AN-ENGINEERING-STUDY-PREPARED-BY-A-REGISTERED-PROFESSIONAL-ENGINEER-WHICH-FULLY-EVALUATES-THE-EFFECTS-OF-SUCH-CONSTRUCTION-AND-SHALL-BE-SUBMITTED-WITH-THE-APPLICATION-FOR-A-BUILDING-PERMIT.--THE-REPORT-SHALL-USE-THE-ONE-HUNDRED-(100)-YEAR-FLOOD-AND-FLOODWAY-DATA-AS-PREPARED-BY-THE-FEDERAL-EMERGENCY-MANAGEMENT-AGENCY-AND-ADOPTED-HEREIN-AS-THE-BASIS-OF-THE-ANALYSIS-ANY-DEVELOPMENT-ALLOWED-SHALL-MEET-THE-REQUIREMENTS-OF-ARTICLE-I,-SECTION-V-B-OF-THIS-ORDINANCE-

4.-EXISTING-NON-CONFORMING-STRUCTURES-AND/OR-DEVELOPMENT-SHALL-NOT-BE-SUBSTANTIALLY-IMPROVED-UNLESS-THE-EFFECT-OF-THE-PROPOSED-IMPROVEMENT-ON-FLOOD-HEIGHTS-IS-FULLY-OFFSET-BY-ACCOMPANYING-STREAM-MODIFICATIONS-AND-THE-IMPROVEMENT-IS-APPROVED-BY-THE-MARYLAND-WATER-RESOURCES-ADMINISTRATION-

A.-SUBSTANTIAL-IMPROVEMENT-OF-A-NON-CONFORMING-STRUCTURE-AND/OR-DEVELOPMENT-REGARDLESS-OF-LOCATION-SHALL-BE-UNDERTAKEN-ONLY-IN-FULLY-COMPLIANCE-WITH-THE-PROVISIONS-OF-THIS-AND-ANY-OTHER-APPLICABLE-ORDINANCE-

B.-THE-MODIFICATION,-ALTERATION,-REPAIR,-RECONSTRUCTION-OR-IMPROVEMENT-OF-ANY-KIND-OF-A-NON-CONFORMING-STRUCTURE-AND/OR-DEVELOPMENT-TO-AN-EXTENT-OR-AMOUNT-OF-LESS-THAN-FIFTY-(50)-PERCENT-OF-ITS-MARKET-VALUE,-SHALL-BE-ELEVATED-AND/OR-FLOODPROOFED-TO-THE-GREATEST-EXTENT-POSSIBLE-

-5.-THE-PLACEMENT-OF-ANY-MANUFACTURED-HOMES-OR-BUILDINGS-SHALL-BE-PROHIBITED-

-6.-THE-FOLLOWING-SHALL-NOT-BE-PLACED-OR-CAUSED-TO-BE-PLACED-IN-THE-FLOODWAY-

A.-FENCES,-EXCEPT-TWO-RAIL-FENCES,-AND

B.-OTHER-MATTERS-(INCLUDING-FILL)-WHICH-MAY-IMPEDE,-RETARD-OR-CHANGE-THE-DIRECTION-OF-THE-FLOW-OF-WATER,-OR-THAT-WILL-CATCH-OR-COLLECT-DEBRIS-CARRIED-BY-SUCH-WATER,-OR-THAT-IS-PLACED-WHERE-THE-NATURAL-FLOW-OF-THE-STREAM-OR-FLOOD-WATERS-WOULD-CARRY-THE-SAME-DOWNSTREAM-TO-THE-DAMAGE-OR-BETRIMENT-OF-EITHER-PUBLIC-OR-PRIVATE-PROPERTY-IN-OR-ADJACENT-TO-THE-FLOODPLAIN-

B A. IN ALL FLOODPLAINS ~~(A-ZONE-F2-F3-EF2-AND-SF2)~~ THE ENTIRE FLOODPLAIN DISTRICT THE FOLLOWING REGULATIONS SHALL APPLY:

- (1) ANY DEVELOPMENT APPROVED SHALL BE IN CONFORMANCE WITH THE REQUIREMENTS OF THE PERMIT PROGRAMS OF THE MARYLAND DEPARTMENT OF NATURAL RESOURCES, WATER RESOURCES ADMINISTRATION AND THE U.S. ARMY CORPS OF ENGINEERS.
- (2) WHERE FLOOD CONTROL AND WATERSHED MANAGEMENT PLANS EXIST, ALL DEVELOPMENT SHALL BE CONSISTENT WITH SUCH PLANS.
- (3) THE ELEVATION OF THE LOWEST FLOOR, ~~AS DEFINED HEREIN,~~ OF ALL NEW OR SUBSTANTIALLY IMPROVED STRUCTURES SHALL BE AT LEAST ~~ONE-1/2~~ 1 FOOT ABOVE THE ELEVATION OF THE ~~ONE-HUNDRED-100~~ 100 YEAR FLOOD. BASEMENTS AS ~~HEREIN-DEFINED~~ ARE PROHIBITED.
- (4) IF THE CONSTRUCTION, RECONSTRUCTION AND/OR MODIFICATION OF ANY STRUCTURE CONSTITUTES LESS THAN A SUBSTANTIAL IMPROVEMENT, THE ELEVATION OF THE LOWEST FLOOR SHALL BE AT LEAST ~~ONE-1/2~~ 1 FOOT ABOVE THE ELEVATION OF THE ~~ONE-HUNDRED-100~~ 100 YEAR FLOOD OR THOSE PARTS OF THE IMPROVEMENT BELOW THE ELEVATION OF ~~ONE-1/2~~ 1 FOOT ABOVE THE ~~ONE-HUNDRED-100~~ 100 YEAR FLOOD SHALL BE DRY FLOODPROOFED AS SPECIFIED BY THE U.S. ARMY CORPS OF ENGINEERS IN ITS PUBLICATION EP1165 2 314, ENTITLED FLOOD-PROOFING REGULATIONS. ROUTINE MAINTENANCE AND REPAIRS SHALL BE EXCEPTED.
- (5) ANY VARIANCES ALLOWED UNDER THE PROVISIONS OF THIS ORDINANCE SHALL MEET THE REQUIREMENTS SPECIFIED IN ~~ARTICLE II, SECTION II OF THIS ORDINANCE~~ SECTION 7.
- (6) ALL DEVELOPMENT SHALL BE UNDERTAKEN IN A MANNER WHICH MINIMIZES ADVERSE IMPACTS ON AQUATIC AND TERRESTRIAL HABITAT AND THEIR RELATED ~~FLORAL~~ FLORA AND FAUNA.
- (7) DESIGN, ANCHORING, AND MATERIALS

ALL NEW CONSTRUCTION AND SUBSTANTIAL IMPROVEMENTS SHALL BE:

- (A) DESIGNED ~~(OR MODIFIED)~~ AND ADEQUATELY ANCHORED TO PREVENT FLOTATION, COLLAPSE, OR LATERAL MOVEMENT OF THE STRUCTURE;
- (B) CONSTRUCTED AND PLACED ON THE LOT SO AS TO OFFER THE MINIMUM OBSTRUCTION TO THE FLOW AND HEIGHT OF THE FLOOD WATER;
- (C) CONSTRUCTED WITH MATERIAL AND UTILITY EQUIPMENT RESISTANT TO FLOOD DAMAGE; AND

- (D) CONSTRUCTED BY METHODS AND PRACTICES THAT MINIMIZE FLOOD DAMAGE.
- (8) LANDSCAPE DESIGN
- (A) ADEQUATE GROUND COVER SHALL BE PROVIDED FOR SOIL STABILIZATION WITHIN THE FLOODPLAIN DISTRICT.
- (B) DESIGN OF LAND CONTOURS AND CHOICE OF PLANT MATERIAL SHALL DIRECT SURFACE RUNOFF AWAY FROM STRUCTURES AND SHALL NOT INCREASE SURFACE RUNOFF ONTO NEIGHBORING PROPERTIES.
- (9) ~~EELECTRICAL~~ ELECTRIC SYSTEMS
- (A) ALL ELECTRIC WATER HEATERS, ELECTRIC FURNACES, GENERATORS, HEAT PUMPS, AIR CONDITIONERS, AND OTHER PERMANENT ELECTRICAL INSTALLATIONS SHALL BE PERMITTED ONLY AT OR ABOVE ~~ONE-(+)~~ 1 FOOT ABOVE THE ELEVATION OF THE ~~ONE-HUNDRED-(+100)~~ 100 YEAR FLOOD.
- (B) NO ELECTRICAL DISTRIBUTION PANELS SHALL BE PERMITTED AT AN ELEVATION LESS THAN ~~THREE-(+3)~~ 3 FEET ABOVE THE ELEVATION OF THE ~~ONE-HUNDRED-(+100)~~ 100 YEAR FLOOD.
- (10) PLUMBING
- (A) WATER HEATERS, FURNACES AND OTHER PERMANENT MECHANICAL INSTALLATIONS SHALL BE PERMITTED ONLY AT OR ABOVE ~~ONE-(+)~~ 1 FOOT ABOVE THE LEVEL OF THE ~~ONE-HUNDRED-(+100)~~ 100 YEAR FLOOD.
- (11) STORAGE
- (A) MATERIALS THAT ARE BUOYANT, FLAMMABLE, EXPLOSIVE, OR THAT IN TIMES OF FLOODING COULD BE INJURIOUS TO HUMAN, ANIMAL OR PLANT LIFE SHALL NOT BE STORED BELOW ~~ONE-(+)~~ 1 FOOT ABOVE THE LEVEL OF THE ~~ONE HUNDRED-(+100)~~ 100 YEAR FLOOD.
- (12) FILL
- WHERE ALLOWED, FILL MATERIAL SHALL MEET THE FOLLOWING ADDITIONAL REQUIREMENTS:
- (A) FILL SHALL CONSIST OF SOIL OR ROCK MATERIALS ONLY; LANDFILLS, DUMPS, AND SANITARY SOIL FILLS SHALL NOT BE PERMITTED;
- (B) FILL MATERIAL SHALL BE COMPACTED IN ACCORDANCE WITH THE STANDARD PROCTOR TEST METHOD ISSUED BY THE AMERICAN SOCIETY FOR TESTING AND MATERIALS (ASTM STANDARD D-698) TO PROVIDE THE NECESSARY

STABILITY AND RESISTANCE TO EROSION, SCOURING OR SETTLING;

- (C) FILL SLOPES SHALL BE NO STEEPER THAN ~~ONE-+1+~~ 1 VERTICAL TO ~~TWO-+2+~~ 2 HORIZONTAL, UNLESS SUBSTANTIATING DATA JUSTIFYING STEEPER SLOPES ARE SUBMITTED TO AND APPROVED BY THE DEPARTMENT OF ~~PUBLIC-WORKS~~ TRANSPORTATION; AND
- (D) FILL SHALL BE USED ONLY TO THE EXTENT TO WHICH IT DOES NOT ADVERSELY AFFECT ADJACENT PROPERTIES.

(13) MANUFACTURED HOMES AND BUILDINGS

- (A) MANUFACTURED HOMES OR BUILDINGS SHALL BE ELEVATED ON PERMANENT FOUNDATIONS SO THAT THE LOWEST FLOOR OF EACH MANUFACTURED HOME OR BUILDING WILL BE AT OR ABOVE ~~ONE-+1+~~ 1 FOOT ABOVE THE ELEVATION OF THE ~~ONE-HUNDRED-+100+~~ 100 YEAR FLOOD.
- (B) ADEQUATE SURFACE DRAINAGE AS WELL AS ACCESS FOR A MANUFACTURED HOME OR BUILDING HAULER SHALL BE PROVIDED.
- (C) WHEN MANUFACTURED HOMES OR BUILDINGS ARE TO BE ELEVATED ON PILINGS, LOTS SHALL BE LARGE ENOUGH TO PERMIT STEPS, AND PILINGS SHALL BE PLACED IN STABLE SOIL NO MORE THAN ~~TEN-+10+~~ 10 FEET APART, AND REINFORCEMENT SHALL BE PROVIDED FOR PILINGS MORE THAN ~~SIX-+6+~~ 6 FEET ABOVE THE GROUND LEVEL.
- (D) ALL MANUFACTURED HOMES OR BUILDINGS SHALL BE SECURELY ANCHORED TO A PROPERLY ANCHORED, PERMANENT FOUNDATION TO RESIST FLOTATION, COLLAPSE, LATERAL MOVEMENT AND WIND FORCES. METHODS OF ANCHORING SHALL INCLUDE, BUT ARE NOT TO BE LIMITED TO, USE OF OVER-THE-TOP OR FRAME TIES TO GROUND ANCHORS.
- (E) ANY ADDITION TO A MANUFACTURED HOME OR BUILDINGS SHALL BE SIMILARLY ELEVATED AND ANCHORED.

(14) ACCESSORY/APPURTENANT STRUCTURES

DUE TO THEIR MINIMAL INVESTMENT, DETACHED GARAGES, STORAGE STRUCTURES, AND ACCESSORY STRUCTURES CONTAINING LESS THAN 300 SQUARE FEET SHALL BE EXEMPT FROM THE ELEVATION OR DRY FLOODPROOFING STANDARDS OF THIS ORDINANCE PROVIDED THAT ALL OF THE FOLLOWING ~~STIPULATIONS~~ CONDITIONS ARE MET:

- (A) A STATEMENT SHALL BE PLACED ON THE BUILDING PLANS WHICH SHALL READ AS FOLLOWS: "NO ENLARGEMENT OR CONVERSION OF THIS AREA TO HABITABLE SPACE IS TO OCCUR UNLESS THE LOWEST FLOOR IS ELEVATED TO A

POINT 1 FOOT ABOVE THE ONE-HUNDRED-~~(100)~~ 100 YEAR FLOOD ELEVATION. AT THIS SITE THE BASE 100 YEAR FLOOD ELEVATION IS _____."

- (B) THE FLOOR ELEVATION OF THE ACCESSORY STRUCTURE SHALL NOT QUALIFY AS A BASEMENT AND MUST BE CONSTRUCTED ON OR ABOVE GRADE.
- (C) THE ACCESSORY STRUCTURE SHALL BE CONSTRUCTED AND PLACED ON THE BUILDING SITE SO AS TO OFFER THE MINIMUM RESISTANCE TO THE FLOW OF FLOODWATERS.
- (D) THE ACCESSORY STRUCTURE SHALL BE FIRMLY ANCHORED TO PREVENT FLOTATION WHICH MAY RESULT IN DAMAGE TO OTHER STRUCTURES.
- (E) THE ACCESSORY STRUCTURE SHALL BE DESIGNED TO HAVE LOW FLOOD DAMAGE POTENTIAL, INCLUDING PROVISIONS TO ALLOW FREE FLOW OF WATER INTO AND OUT OF IT TO MAINTAIN EQUAL PRESSURE.
- (F) THE SERVICE FACILITIES, SUCH AS ELECTRICAL, PLUMBING, AND HEATING EQUIPMENT, SHALL BE ELEVATED TO THE APPLICABLE ONE-HUNDRED-~~(100)~~ 100 YEAR FLOOD ELEVATION OR BE FLOODPROOFED.
- (G) THE ACCESSORY STRUCTURE SHALL BE COMPRISED OF NO MORE THAN THREE-HUNDRED-~~(300)~~ 300 SQUARE FEET AND NO MORE THAN ONE-~~(1)~~ 1 STORY.
- (H) THE APPLICANT SHALL BE MADE AWARE THAT IF THE ACCESSORY STRUCTURE IS BUILT BELOW THE ONE-HUNDRED ~~(100)~~ 100 YEAR FLOOD ELEVATION AND IS NOT FLOODPROOFED, THE AFORESAID STRUCTURE MAY BE SUSCEPTIBLE TO HIGHER INSURANCE PREMIUM RATES FOR THE STRUCTURE AND ITS CONTENTS.

(15) ENCLOSURES BELOW LOWEST FLOOR

THE NEW CONSTRUCTION AND SUBSTANTIAL IMPROVEMENTS OF FULLY ENCLOSED AREAS BELOW THE LOWEST FLOOR, INCLUDING BUT NOT LIMITED TO CRAWL SPACES, SOLID FOOTINGS, AND CONTINUOUS FOUNDATIONS, SHALL BE DESIGNED TO MEET OR EXCEED THE FOLLOWING MINIMUM CRITERIA:

- (A) A MINIMUM OF TWO 2 OPENINGS HAVING A TOTAL NET AREA OF NOT LESS THAN ONE 1 SQUARE INCH FOR EVERY SQUARE FOOT OF ENCLOSED AREAS SUBJECT TO FLOODING SHALL BE PROVIDED.
- (B) THE BOTTOM OF ALL OPENINGS SHALL BE NO HIGHER THAN ONE 1 FOOT ABOVE GRADE.
- (C) OPENINGS MAY BE EQUIPPED WITH SCREENS, LOUVERS, VALVES, OR OTHER COVERINGS OR DEVICES, PROVIDED

THAT THEY PERMIT THE AUTOMATIC ENTRY AND EXIT OF FLOODWATERS.

(16) UTILITIES AND FACILITIES.

IN THE ENTIRE FLOODPLAIN DISTRICT, THE DESIGN, PLACEMENT AND CONSTRUCTION OF ALL PUBLIC AND PRIVATE UTILITIES AND FACILITIES SHALL MEET THE FOLLOWING REQUIREMENTS:

- (A) NEW OR REPLACEMENT WATER SUPPLY SYSTEMS AND/OR SANITARY SEWAGE SYSTEMS SHALL BE DESIGNED AND FLOODPROOFED TO ELIMINATE OR MINIMIZE INFILTRATION OF FLOOD WATERS INTO THE SYSTEMS AND DISCHARGES FROM THE SYSTEMS INTO FLOOD WATERS, AND TO AVOID IMPAIRMENT DURING FLOODING AND TO MINIMIZE FLOOD DAMAGE.
 - (i) CESSPOOLS AND SEEPAGE PITS ARE PROHIBITED.
 - (ii) SEPTIC TANKS ARE PERMITTED PROVIDED THEY ARE SECURELY ANCHORED TO RESIST BUOYANT FORCES DURING INUNDATION.
 - (iii) ALL PIPES CONNECTED TO SEWAGE SYSTEMS SHALL BE SEALED TO PREVENT LEAKAGE.
- (B) ALL GAS, ELECTRICAL AND OTHER FACILITY AND UTILITY SYSTEMS SHALL BE LOCATED, CONSTRUCTED, AND FLOODPROOFED TO ELIMINATE OR MINIMIZE FLOOD DAMAGE.
- (C) ALL NEW STORM DRAINAGE FACILITIES WITHIN AND LEADING TO OR FROM THE FLOODPLAIN DISTRICT SHALL BE ADEQUATELY DESIGNED, FLOODPROOFED, AND INSTALLED TO ELIMINATE OR MINIMIZE PROPERTY DAMAGE RESULTING FROM THE FLOOD WATERS OF THE 100 YEAR FLOOD AND TO MINIMIZE ADVERSE ENVIRONMENTAL IMPACTS OF THEIR INSTALLATION AND USE.

B. IN THE FLOODWAY (F1) THE FOLLOWING REGULATIONS SHALL APPLY:

- (1) ALL RESIDENTIAL DEVELOPMENT SHALL BE PROHIBITED.
- (2) NO OTHER DEVELOPMENT SHALL BE PERMITTED EXCEPT WHERE THE EFFECT OF SUCH DEVELOPMENT ON FLOOD HEIGHTS IS FULLY OFFSET BY ACCOMPANYING STREAM MODIFICATION AND THE DEVELOPMENT IS APPROVED BY ALL APPROPRIATE LOCAL AUTHORITIES, THE MARYLAND WATER RESOURCES ADMINISTRATION AND THE U. S. ARMY CORPS OF ENGINEERS.
- (3) ALL PROPOSALS TO OFFSET THE EFFECT OF DEVELOPMENT IN THE FLOODWAY BY CONSTRUCTION OF STREAM MODIFICATIONS SHALL BE DOCUMENTED BY AN ENGINEERING REPORT PREPARED BY A REGISTERED PROFESSIONAL ENGINEER WHICH FULLY EVALUATES THE EFFECTS OF SUCH CONSTRUCTION AND WHICH

SHALL BE SUBMITTED WITH THE APPLICATION FOR A BUILDING PERMIT. THE REPORT SHALL USE THE 100 YEAR FLOOD AND FLOODWAY DATA AS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND ADOPTED HEREIN AS THE BASIS OF ANALYSIS. ANY DEVELOPMENT SHALL MEET THE REQUIREMENTS OF SECTION 5A.

- (4) EXISTING NON-CONFORMING STRUCTURES AND/OR DEVELOPMENT SHALL NOT BE SUBSTANTIALLY IMPROVED UNLESS THE EFFECT OF THE PROPOSED IMPROVEMENT ON FLOOD HEIGHTS IS FULLY OFFSET BY ACCOMPANYING STREAM MODIFICATIONS AND THE IMPROVEMENT IS APPROVED BY THE MARYLAND WATER RESOURCES ADMINISTRATION.
- (A) SUBSTANTIAL IMPROVEMENT OF A NON-CONFORMING STRUCTURE AND/OR DEVELOPMENT REGARDLESS OF LOCATION SHALL BE UNDERTAKEN ONLY IN COMPLIANCE WITH THE PROVISIONS OF THIS ORDINANCE AND ANY OTHER APPLICABLE LAW.
- (B) THE MODIFICATION, ALTERATION, REPAIR, RECONSTRUCTION OR IMPROVEMENT OF ANY NON-CONFORMING STRUCTURE AND/OR DEVELOPMENT AMOUNTING TO LESS THAN 50 PERCENT OF ITS FAIR MARKET VALUE SHALL BE ELEVATED AND/OR FLOODPROOFED TO THE GREATEST EXTENT POSSIBLE.
- (C) USES OR ADJUNCTS THEREOF WHICH ARE, OR BECOME, NUISANCES SHALL NOT BE PERMITTED TO CONTINUE.
- (5) THE PLACEMENT OF ANY MANUFACTURED HOMES OR BUILDINGS SHALL BE PROHIBITED.
- (6) THE FOLLOWING SHALL NOT BE PLACED OR CAUSED TO BE PLACED IN THE FLOODWAY:
- (A) FENCES, EXCEPT TWO-RAIL FENCES; AND
- (B) ANY ENCLOSURES OR MATERIALS (INCLUDING FILL) WHICH MAY IMPEDE, RETARD OR CHANGE THE DIRECTION OF THE FLOW OF WATER, OR THAT WILL CATCH OR COLLECT DEBRIS CARRIED BY SUCH WATER, OR THAT IS PLACED WHERE THE NATURAL FLOW OF STREAM OR FLOOD WATERS WOULD CARRY THE SAME DOWNSTREAM TO THE DAMAGE OR DETRIMENT OF PUBLIC OR PRIVATE PROPERTY IN OR ADJACENT TO THE FLOODPLAIN.
- (7) THE DEPARTMENT OF PLANNING SHALL OBTAIN, REVIEW AND REASONABLY UTILIZE ANY 100 YEAR FLOOD ELEVATION AND FLOODWAY DATA AVAILABLE FROM A FEDERAL, STATE OR OTHER SOURCE, SUCH AS THE U. S. ARMY CORPS OF ENGINEERS, THE SOIL CONSERVATION SERVICE, THE MARYLAND WATER RESOURCES ADMINISTRATION, OR ANY REGIONAL PLANNING ORGANIZATION, IN THE ENFORCEMENT OF THIS ORDINANCE.

- C. IN THE APPROXIMATE FLOODPLAIN (ZONE A); THE FOLLOWING REGULATIONS APPLY:
- (1) THE DEPARTMENT OF PLANNING SHALL OBTAIN, REVIEW AND REASONABLY UTILIZE ANY ~~ONE-HUNDRED-+~~ 100 YEAR FLOOD ELEVATION AND FLOODWAY DATA AVAILABLE FROM A FEDERAL, STATE OR OTHER SOURCE, SUCH AS THE U.S. ARMY CORPS OF ENGINEERS, THE SOIL CONSERVATION SERVICE, THE STATE-OF MARYLAND WATER RESOURCES ADMINISTRATION, OR ANY REGIONAL PLANNING ORGANIZATION IN THE ENFORCEMENT OF ~~THE-ORDINANCE-WITHIN-THE-APPROXIMATE-FLOODPLAIN~~ THIS ORDINANCE;
 - (2) WHEN THE ~~ONE-HUNDRED-+~~ 100 YEAR FLOOD ELEVATION IS NOT KNOWN, THE DEPARTMENT OF PLANNING IN CONSULTATION WITH THE WATER RESOURCES ADMINISTRATION SHALL EVALUATE EACH SITE AND ESTABLISH AN APPROXIMATE ~~ONE-HUNDRED-+~~ 100 YEAR FLOOD ELEVATION; AND
 - (3) THE DEVELOPMENT REGULATIONS OF SECTION ~~V-B-OF-THIS-ORDINANCE-SHALL-BE-APPLIED-WITHIN-THE-APPROXIMATE-FLOODPLAIN~~ 5A SHALL BE APPLIED.
- D. IN THE ~~EASTAL~~ COASTAL FLOODPLAIN, THE DEVELOPMENT REGULATIONS FOR THE FLOODWAY FRINGE CITED IN SECTION ~~V-B-OF-THIS-ORDINANCE~~ 5A SHALL APPLY.
- E. IN THE ~~EASTAL~~ COASTAL HIGH HAZARD AREA (ZONE V), THE FOLLOWING REGULATIONS SHALL APPLY IN ADDITION TO THE DEVELOPMENT REGULATIONS CITED IN SECTION ~~V-B-OF-THIS-ORDINANCE~~ 5A.
- (1) NO LAND BELOW THE LEVEL OF THE ~~ONE-HUNDRED-+~~ 100 YEAR FLOOD MAY BE DEVELOPED UNLESS THE SUCH NEW CONSTRUCTION OR SUBSTANTIAL IMPROVEMENT:
 - (A) IS LOCATED LANDWARD OF THE REACH OF MEAN HIGH TIDE;
 - (B) IS ELEVATED ON ADEQUATELY ANCHORED PILINGS OR COLUMNS TO RESIST FLOTATION, COLLAPSE AND LATERAL MOVEMENT DUE TO THE EFFECTS OF THE ~~ONE-HUNDRED-+~~ 100 YEAR WIND AND WATER LOADS ACTING SIMULTANEOUSLY ON ALL BUILDING COMPONENTS, AND THE BOTTOM OF THE LOWEST HORIZONTAL STRUCTURAL MEMBERS OF THE LOWEST FLOOR (EXCLUDING THE PILINGS OR COLUMNS) IS ELEVATED TO AT LEAST ~~ONE-+~~ 1 FOOT ABOVE THE ~~ONE-HUNDRED~~ 100 YEAR FLOOD ELEVATION;
 - (C) HAS BEEN CERTIFIED BY A REGISTERED PROFESSIONAL ENGINEER OR ARCHITECT THAT IT IS SECURELY ANCHORED TO ADEQUATELY ANCHORED PILINGS OR COLUMNS IN ORDER TO WITHSTAND VELOCITY WATERS AND HURRICANE WAVE WASH AND WILL MEET THE REQUIREMENTS OF THE PRECEDING-SUBSECTION-E-1-B SECTION 5E(1)(B);

- (D) HAS NO BASEMENT AND HAS THE SPACE BELOW THE LOWEST FLOOR FREE OF OBSTRUCTIONS OR IS CONSTRUCTED WITH "BREAK AWAY WALLS" INTENDED TO COLLAPSE UNDER STRESS WITHOUT JEOPARDIZING THE STRUCTURAL SUPPORT OF THE STRUCTURE SO THAT THE IMPACT ON THE STRUCTURE BY ABNORMALLY HIGH TIDES OR WIND-DRIVEN WATER IS MINIMIZED. SUCH TEMPORARILY ENCLOSED SPACE SHALL NOT BE USED FOR HUMAN HABITATION; AND
- (E) DOES NOT UTILIZE FILL FOR STRUCTURAL SUPPORT OF BUILDINGS OR STRUCTURES.

- (2) EXISTING NON-CONFORMING USES AND/OR STRUCTURES LOCATED ON LAND BELOW THE LEVEL OF THE ONE-HUNDRED-(100) 100 YEAR FLOOD SHALL NOT BE EXPANDED VERTICALLY, HORIZONTALLY, OR OTHERWISE UNLESS FULLY COMPLIANT WITH THIS AND ALL OTHER APPLICABLE ORDINANCES.
- (3) THE PLACEMENT OF MANUFACTURED HOMES OR BUILDINGS IS STRICTLY PROHIBITED.

F. IN-~~THE-ENTIRE-FLOODPLAIN-DISTRICT,-THE-DESIGN,-PLACEMENT-AND-CONSTRUCTION-OF-ALL-PUBLIC-AND-PRIVATE-UTILITIES-AND-FACILITIES-SHALL-MEET-THE-FOLLOWING-REQUIREMENTS:~~

- 1. ~~NEW-OR-REPLACEMENT-WATER-SUPPLY-SYSTEMS-AND/OR-SANITARY SEWAGE-SYSTEMS-SHALL-BE-DESIGNED-AND-FLOODPROOFED-TO ELIMINATE-OR-MINIMIZE-INFILTRATION-OF-FLOOD-WATERS-INTO THE-SYSTEMS-AND-DISCHARGES-FROM-THE-SYSTEMS-INTO-FLOOD WATERS,-AND-TO-AVOID-IMPAIRMENT-DURING-FLOODING-AND-TO MINIMIZE-FLOOD-DAMAGE.~~
 - A. ~~CESSPOOLS-AND-SEEPAGE-PITS-ARE-PROHIBITED.~~
 - B. ~~SEPTIC-TANKS-ARE-PERMITTED-PROVIDED-THEY-ARE SECURELY-ANCHORED-TO-RESIST-BUOYANT-FORCES-DURING INUNDATION.~~
 - C. ~~ALL-PIPES-CONNECTED-TO-SEWAGE-SYSTEMS-SHALL-BE SEALED-TO-PREVENT-LEAKAGE.~~
- 2. ~~ALL-GAS,-ELECTRICAL-AND-OTHER-FACILITY-AND-UTILITY SYSTEMS-SHALL-BE-LOCATED,-CONSTRUCTED,-AND-FLOODPROOFED TO-ELIMINATE-OR-MINIMIZE-FLOOD-DAMAGE.~~
- 3. ~~ALL-NEW-STORM-DRAINAGE-FACILITIES-WITHIN-AND-LEADING-TO OR-FROM-THE-FLOODPLAIN-DISTRICT-SHALL-BE-ADEQUATELY DESIGNED,-FLOODPROOFED,-AND-INSTALLED-TO-ELIMINATE-OR MINIMIZE-PROPERTY-DAMAGE-RESULTING-FROM-THE-FLOOD WATERS-OF-THE-ONE-HUNDRED-(100)-YEAR-FLOOD-AND-TO MINIMIZE-ADVERSE-ENVIRONMENTAL-IMPACTS-OF-THEIR INSTALLATION-AND-USE.~~

~~ARTICLE-II--~~ ADMINISTRATIVE PROVISIONS~~SECTION-I:~~ 6. PERMIT REQUIREMENTS

A PERMIT ISSUED BY THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT IS REQUIRED FOR ALL DEVELOPMENT (INCLUDING, BUT NOT LIMITED TO, SUBDIVISION OF LAND, CONSTRUCTION OF AND/OR SUBSTANTIAL IMPROVEMENTS TO BUILDINGS AND STRUCTURES, PLACEMENT OF MANUFACTURED HOMES, FILL, TEMPORARY DEVELOPMENT, NEW OR REPLACEMENT INFRASTRUCTURE, OR ANY COMBINATION THEREOF) IN THE FLOODPLAIN DISTRICT AND SHALL BE GRANTED ONLY AFTER NECESSARY PERMITS FROM THE STATE OF MARYLAND, WATER RESOURCES ADMINISTRATION, AND ALL OTHER APPLICABLE STATE AND FEDERAL AND LOCAL AGENCIES HAVE BEEN OBTAINED AND VERIFIED BY THE DEPARTMENT OF PLANNING.

- A. THE APPLICATION FOR THE BUILDING PERMIT SHALL BE SUBMITTED TO THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT ~~{CONSTRUCTION-AND-BUILDING-INSPECTION-DIVISION-(HCB)}~~ AND SHALL CONTAIN INFORMATION INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:
- (1) NAME AND ADDRESS OF APPLICANT. THE APPLICANT MUST BE THE OWNER OR AN AUTHORIZED AGENT OF THE OWNER;
 - (2) NAME AND ADDRESS OF OWNER OF LAND ON WHICH DEVELOPMENT IS PROPOSED;
 - (3) NAME AND ADDRESS OF CONTRACTOR;
 - (4) SITE LOCATION;
 - (5) COPIES OF THE ISSUED PERMIT OR A WRITTEN STATEMENT FROM THE ISSUING AUTHORITY INDICATING THAT A PERMIT IS NOT REQUIRED FROM THE U.S. ARMY CORPS OF ENGINEERS, MARYLAND DEPARTMENT OF NATURAL RESOURCES, WETLANDS DIVISION, AND/OR MARYLAND DEPARTMENT OF NATURAL RESOURCES, WATERSHED PERMITS DIVISION WHERE NECESSARY.
 - (6) A PLAN OF THE SITE SHOWING THE SIZE AND LOCATION OF THE PROPOSED DEVELOPMENT AS WELL AS ANY EXISTING BUILDINGS OR STRUCTURES;
 - (7) PLANS DRAWN TO SCALE, SHOWING THE LOCATION, DIMENSIONS AND ELEVATION IN MEAN SEA LEVEL/NGVD OF THE SITE IN RELATION TO THE STREAM CHANNEL, SHORELINE, AND/OR FLOODPLAIN DISTRICT;
 - (8) SUMMARY DESCRIPTION OF PROPOSED WORK AND ESTIMATED COST; AND
 - (9) DEPENDING ON THE TYPE OF DEVELOPMENT AND/OR STRUCTURED INVOLVED AND FOR STRUCTURES TO BE ELEVATED ABOVE THE ~~ONE-HUNDRED-+100+~~ 100 YEAR FLOOD ELEVATION, THE

FOLLOWING INFORMATION SHALL ALSO BE SHOWN ON PLANS SUBMITTED WITH THE APPLICATION:

- (A) THE SIZE OF THE PROPOSED STRUCTURE(S) AND ITS POSITION ON THE LOT WHERE IT IS TO BE CONSTRUCTED;
- (B) THE ELEVATIONS OF THE PROPOSED FINAL GRADING AND LOWEST FLOOR, AND THE EXISTING GROUND AND ~~ONE HUNDRED-+100+~~ 100 YEAR FLOOD ELEVATION AS CERTIFIED BY A REGISTERED PROFESSIONAL ENGINEER, SURVEYOR OR ARCHITECT;
- (C) THE METHOD OF ELEVATING THE PROPOSED STRUCTURE, INCLUDING DETAILS OF PROPOSED FILLS, PILE STRUCTURES, RETAINING WALLS, FOUNDATIONS, EROSION PROTECTION MEASURES, ETC. THESE PLANS SHALL BE PREPARED BY A REGISTERED PROFESSIONAL ENGINEER OR ARCHITECT; ~~-AND~~ .
- (10) IF A VARIANCE IS BEING APPLIED FOR UNDER THE PROVISIONS ~~OF ARTICLE II, SECTION II-A-1-OF-THIS-ORDINANCE,~~ OF SECTION 7A(1) CERTIFICATION BY A REGISTERED PROFESSIONAL ENGINEER OR ARCHITECT THAT THE STRUCTURE WILL BE DRY FLOODPROOFED IN ACCORDANCE WITH THE SPECIFICATIONS OF THE U.S. ARMY CORPS OF ENGINEERS TO ~~ONE-+1+~~ 1 FOOT ABOVE THE ~~ONE-HUNDRED-+100+~~ 100 YEAR FLOOD ELEVATION.
- (11) IF A VARIANCE IS BEING APPLIED FOR UNDER THE PROVISIONS ~~OF ARTICLE II, SECTION II-A-2-OF-THIS-ORDINANCE,~~ SECTION 7A(2) APPROPRIATE BUILDING MODIFICATIONS SHALL BE CONSTRUCTED TO AUTOMATICALLY EQUALIZE HYDROSTATIC FLOOD FORCES BY ALLOWING FOR THE ENTRY AND ~~EXIST~~ EXIT OF FLOODWATERS, INCLUDING:
- (A) A MINIMUM OF ~~TWO-OPENING~~ 2 OPENINGS ON SEPARATE SIDES OF THE STRUCTURE HAVING A TOTAL NET AREA OF NOT LESS THAN ~~ONE~~ 1 SQUARE INCH FOR EVERY SQUARE FOOT OF ENCLOSED AREA SUBJECT TO FLOODING SHALL BE PROVIDED;
- (B) THE BOTTOM OF ALL OPENINGS SHALL BE NO HIGHER THAN ~~ONE~~ 1 FOOT ABOVE GRADE;
- (C) OPENINGS MAY BE EQUIPPED WITH SCREENS, LOUVERS, VALVES, OR OTHER COVERINGS OR DEVICES PROVIDED THAT THEY PERMIT THE AUTOMATIC ENTRY AND EXIT OF FLOODWATERS.
- (12) IF SUBSTANTIAL IMPROVEMENT TO AN EXISTING STRUCTURE IS PROPOSED, AN APPRAISAL SHALL BE SUBMITTED BY A PROFESSIONAL REAL ESTATE APPRAISER OF THE FAIR MARKET VALUE OF THE EXISTING STRUCTURE LESS LAND VALUE WHERE A SUBSTANTIAL IMPROVEMENT IS PROPOSED.

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B. ALL PROPOSALS FOR THE SUBDIVISION OF LAND AND/OR NEW DEVELOPMENT SHALL INCLUDE A PLAN DRAWING SHOWING THE LOCATION OF ALL EXISTING AND PROPOSED PUBLIC AND PRIVATE UTILITIES, FACILITIES, DRAINAGE STRUCTURE, AND ROAD ACCESS. IF THE ~~ONE-HUNDRED-(100)~~ 100 YEAR ELEVATION HAS BEEN DETERMINED BY THE FLOOD INSURANCE STUDY OR OTHER RELIABLE SOURCE APPROVED BY THE WATER RESOURCES ADMINISTRATION, SUCH FLOOD ELEVATION(S) SHALL BE DELINEATED ON THE PROPOSED PLAN. IF THE PROPOSAL INVOLVES MORE THAN FIFTY-(50) 50 LOTS OR GREATER THAN FIVE-(5) 5 ACRES AND THE ~~ONE-HUNDRED-(100)~~ 100 YEAR FLOOD ELEVATION HAS NOT BEEN DETERMINED FOR THE LAND AREA, THE DEVELOPER SHALL DETERMINE THE ~~ONE-HUNDRED-(100)~~ 100 YEAR FLOOD ELEVATION AND DELINEATE SUCH FLOOD ELEVATION ON THE PROPOSED PLAN. ALL PLANS SHALL BE CERTIFIED BY A REGISTERED PROFESSIONAL ENGINEER AND SHALL BE REVIEWED BY THE ~~DEPARTMENT-OF-PUBLIC-WORKS,-THE-DEPARTMENT-OF-HOUSING AND-COMMUNITY-DEVELOPMENT-AND-THE-DEPARTMENT-OF-PLANNING-TO~~ CITY AGENCIES RESPONSIBLE FOR STORMWATER MANAGEMENT AND EROSION CONTROL TO ASSURE THAT:

- (1) ALL SUCH PROPOSALS ARE CONSISTENT WITH THE NEED TO MINIMIZE FLOOD DAMAGE;
- (2) ALL NECESSARY PERMITS HAVE BEEN RECEIVED FROM THE STATE OF MARYLAND WATER RESOURCES ADMINISTRATION AND APPROPRIATE FEDERAL AGENCIES;
- (3) ALL PUBLIC AND PRIVATE UTILITIES AND FACILITIES (INCLUDING SEWER, WATER, TELEPHONE, ELECTRIC, GAS, ETC.) ARE LOCATED, CONSTRUCTED AND FLOODPROOFED TO MINIMIZE OR ELIMINATE FLOOD DAMAGE;
- (4) ADEQUATE DRAINAGE IS PROVIDED TO REDUCE EXPOSURE TO FLOOD HAZARDS;
- (5) AT LEAST ~~ONE~~ 1 ACCESS POINT WHICH, DURING THE ~~ONE HUNDRED-(100)~~ 100 YEAR FLOOD, SHALL PROVIDE SAFE VEHICULAR ACCESS TO AND EGRESS FROM THE SUBDIVISION AND/OR NEW DEVELOPMENT; AND
- (6) ADEQUATE MEASURES HAVE BEEN TAKEN TO MINIMIZE ADVERSE ENVIRONMENTAL IMPACTS OF THE PROPOSED DEVELOPMENT.

C. PERMITS A PERMIT SHALL BE GRANTED ONLY AFTER IT HAS BEEN DETERMINED THAT THE PROPOSED WORK WILL BE IN CONFORMANCE WITH THE REQUIREMENTS OF THIS AND ALL OTHER APPLICABLE CODES AND ORDINANCES.

D. WHEN THE PROPOSED DEVELOPMENT INCLUDES THE RELOCATION OR ALTERATION OF A WATERCOURSE, EVIDENCE SHALL BE PRESENTED AS PART OF THE PERMIT APPLICATION THAT ALL ADJACENT COMMUNITIES AND THE WATER RESOURCES ADMINISTRATION HAVE BEEN NOTIFIED BY CERTIFIED MAIL AND HAVE APPROVED OF THE PROPOSED ALTERATION OR RELOCATION. COPIES OF THESE NOTIFICATIONS SHALL THEN BE FORWARDED TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY,

FEDERAL INSURANCE ADMINISTRATION. IN ADDITION, THE DEVELOPER SHALL ASSURE THE CITY OF BALTIMORE, IN WRITING, THAT THE FLOOD CARRYING CAPACITY WITHIN THE ALTERED OR RELOCATED PORTION OF THE WATERCOURSE IN QUESTION WILL BE MAINTAINED.

- E. AFTER THE ISSUANCE OF A BUILDING PERMIT BY THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT ~~(CONSTRUCTION-AND-BUILDING INSPECTION-DIVISION-(HEB))~~, NO CHANGES OF ANY KIND SHALL BE MADE TO THE APPLICATION, PERMIT, OR ANY OF THE PLANS, SPECIFICATIONS OR OTHER DOCUMENTS SUBMITTED WITH THE APPLICATION WITHOUT THE WRITTEN CONSENT OR APPROVAL OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT.
- F. DURING THE CONSTRUCTION PERIOD THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT SHALL INSPECT THE PREMISES TO DETERMINE THAT THE WORK IS PROGRESSING IN COMPLIANCE WITH THE PERMIT AND WITH ALL APPLICABLE LAWS AND ORDINANCES. THE PREMISES SHALL ALSO BE SUBJECT TO INSPECTION BY THE STATE OF MARYLAND, WATER RESOURCES ADMINISTRATION. IN THE EVENT THAT THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT DETERMINES THAT THE WORK IS NOT IN COMPLIANCE WITH THE PERMIT OR ALL APPLICABLE LAWS AND ORDINANCES, OR THAT THERE HAS BEEN A FALSE STATEMENT OR MISREPRESENTATION BY THE APPLICANT, THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, UPON INSTRUCTION FROM THE DEPARTMENT OF PLANNING, MAY REVOKE THE BUILDING PERMIT AND REPORT SUCH FACT TO THE MARYLAND WATER RESOURCES ADMINISTRATION. ~~FOR WHATEVER ACTION IT CONSIDERS NECESSARY.~~
- G. AN OCCUPANCY PERMIT SHALL BE REQUIRED FOR ALL CONSTRUCTION AND SUBSTANTIAL IMPROVEMENTS IN THE FLOODPLAIN DISTRICT AND SHALL NOT BE ISSUED UNTIL THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT HAS BEEN PROVIDED WITH A COMPLETED ELEVATION CERTIFICATE PREPARED BY A REGISTERED LAND SURVEYOR OR PROFESSIONAL ENGINEER CERTIFYING THE "AS-BUILT" CONDITION OF THE SUBJECT CONSTRUCTION. THE DATUM USED ON ELEVATION CERTIFICATES SHALL BE MEAN SEA LEVEL AS ESTABLISHED BY THE NATIONAL GEODETIC VERTICAL DATUM OF 1929.
- H. A RECORD ~~OR LOG~~ OF ALL PERMIT ACTIONS IN THE FLOODPLAIN DISTRICT ~~PERMIT ACTIONS~~ SHALL BE MAINTAINED BY THE DEPARTMENT OF PLANNING AND SHALL BE AVAILABLE UPON REQUEST BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY OR ITS AUTHORIZED AGENT (THE WATER RESOURCES ADMINISTRATION) DURING PERIODIC ASSESSMENTS OF BALTIMORE CITY'S PARTICIPATION IN THE NATIONAL FLOOD INSURANCE PROGRAM. SUCH RECORD SHALL INCLUDE, AT A MINIMUM, THE DATE THE PERMIT WAS ISSUED, THE AS-BUILT LOWEST FLOOR ELEVATION OF ALL NEW CONSTRUCTION OR SUBSTANTIAL IMPROVEMENT, THE ISSUANCE DATE OF THE ANY OCCUPANCY PERMIT, A COPY OF THE COMPLETED ELEVATION CERTIFICATE, AND ANY MAP AMENDMENTS ISSUED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

SECTION-II: 7. FLOODPLAIN VARIANCES

- A. APPLICATIONS FOR VARIANCES MAY BE CONSIDERED BY THE DEPARTMENT OF PLANNING, AFTER A REVIEW BY THE CITY AGENCIES RESPONSIBLE FOR STORMWATER MANAGEMENT AND EROSION CONTROL, FOR:
- (1) NEW CONSTRUCTION OF OR SUBSTANTIAL IMPROVEMENTS TO NON-RESIDENTIAL STRUCTURES OR PORTIONS THEREOF WHICH WILL BE FLOODPROOFED IN A WATERTIGHT FASHION;
 - (2) NEW CONSTRUCTION OF OR SUBSTANTIAL IMPROVEMENTS TO DETACHED AND ATTACHED GARAGES AS-SPECIFIED-IN-ARTICLE II, SECTION-I-A-10-E WHICH ARE USED SOLELY FOR STORAGE OR PARKING OF VEHICLES AND DESIGNED TO AUTOMATICALLY EQUALIZE HYDROSTATIC PRESSURES ON WALLS BY ALLOWING FOR THE ENTRY AND EXIT OF FLOODWATER AND MEET THE REQUIREMENTS OF ARTICLE-I, SECTION-V-B-14-OF-THIS ORDINANCE, SECTION 5(A)(14);
 - (3) NEW CONSTRUCTION OF OR SUBSTANTIAL IMPROVEMENTS TO STRUCTURES OR BUILDINGS TO BE ERECTED ON A LOT OF ONE-QUARTER ACRE OR LESS IN SIZE CONTIGUOUS TO AND SURROUNDED BY LOTS WITH EXISTING STRUCTURES CONSTRUCTED BELOW THE ELEVATION OF THE ONE-HUNDRED-(100) 100 YEAR FLOOD;
 - (4) WATER FUNCTIONALLY DEPENDENT USES WHICH CANNOT PERFORM THEIR INTENDED PURPOSE UNLESS THEY ARE LOCATED OR CARRIED OUT IN CLOSE PROXIMITY TO WATER. A FUNCTIONALLY DEPENDENT USE INCLUDES ONLY DOCKING FACILITIES THAT ARE NECESSARY FOR THE LOADING AND UNLOADING OF CARGO OR PASSENGERS, AND SHIP BUILDING AND SHIP REPAIR FACILITIES, AND DOES NOT INCLUDE LONG-TERM STORAGE OR RELATED MANUFACTURING FACILITIES.
 - (5) RECONSTRUCTION, REHABILITATION OR RESTORATION OF STRUCTURES LISTED IN THE NATIONAL REGISTER OF HISTORIC PLACES OR STATE INVENTORY OF HISTORIC PLACES OR THE CITY LANDMARK LIST.
 - (6) ALL NECESSARY CITY UTILITIES.
- B. VARIANCES SHALL NOT BE GRANTED FOR:
- (1) THE PLACEMENT OF FILL IN THE FLOODWAY OR THE ~~EASTAL~~ COASTAL HIGH HAZARD AREA UNLESS APPROVED BY APPROPRIATE FEDERAL AND STATE AGENCIES;
 - (2) NEW CONSTRUCTION OF OR SUBSTANTIAL IMPROVEMENT TO ANY STRUCTURE LOCATED IN THE FLOODWAY OR THE ~~EASTAL~~ COASTAL HIGH HAZARD AREA;

- (3) MANUFACTURED HOMES OR BUILDINGS WITHIN THE FLOODWAY AND ~~COASTAL~~ COASTAL HIGH HAZARD AREA; OR
- (4) ANY DEVELOPMENT WITHIN THE FLOODWAY. ~~(SEE-SECTION-V-B-6)~~
- C. THE GRANTING OF VARIANCES SHALL BE SUBJECT TO THE FOLLOWING CONDITIONS:
- (1) A DEMONSTRATION OF GOOD AND SUFFICIENT CAUSE;
- (2) FOR NEW CONSTRUCTION OR SUBSTANTIAL IMPROVEMENTS ~~FALLING IN CATEGORY A(3) ABOVE, A DETERMINATION THAT FAILURE TO GRANT THE VARIANCE WOULD RESULT IN EXCEPTIONAL HARDSHIP TO THE APPLICANT -; ECONOMIC HARDSHIP SHALL NOT BE CONSIDERED EXCEPTIONAL;~~
- (3) A DETERMINATION THAT THE GRANTING OF A VARIANCE WILL NOT RESULT IN INCREASED FLOOD HEIGHTS, ADDITIONAL THREATS TO PUBLIC SAFETY, OR EXTRAORDINARY PUBLIC EXPENSE, OR CREATE NUISANCES, CAUSE FRAUD ON OR VICTIMIZATION OF THE PUBLIC, OR CONFLICT WITH EXISTING LOCAL LAWS OR ORDINANCES;
- (4) THE STIPULATION THAT ALL RESIDENTIAL STRUCTURES WILL HAVE THE LOWEST FLOOR ELEVATED TO THE GREATEST EXTENT POSSIBLE WITH RESPECT TO THE ~~ONE-HUNDRED-(100)~~ 100 YEAR FLOOD ELEVATION; AND
- (5) GRANTING OF A VARIANCE FROM THE WATER RESOURCES ADMINISTRATION, FAVORABLE COMMENTS FROM THE STATE COORDINATING OFFICE OF THE WATER RESOURCES ADMINISTRATION, AND COMPLIANCE WITH ~~B--AND-D--OF-THIS~~ SECTIONS 7B AND 7D.
- D. VARIANCES SHALL ONLY BE GRANTED UPON A DETERMINATION THAT THE VARIANCE IS THE MINIMUM NECESSARY; ~~-CONSIDERING-THE-FLOOD HAZARD,~~ TO AFFORD RELIEF, CONSIDERING THE FLOOD HAZARD AND THAT LOCAL PUBLIC FUNDS MAY NOT BE AVAILABLE TO MITIGATE THE RESULTS OF SUCH VARIANCE.
- E. THE APPLICATION FOR A VARIANCE SHALL BE SUBMITTED TO THE DEPARTMENT OF PLANNING AND SHALL COMPLY WITH THE PROVISIONS AND REQUIREMENTS OF ~~ARTICLE-II, SECTION-I-A-10-B-AND-E-OF~~ THIS ORDINANCE.
- F. THE APPLICANT SHALL BE NOTIFIED IN WRITING BY THE DEPARTMENT OF PLANNING OF THE INCREASED PREMIUM RATES FOR FLOOD INSURANCE AND THAT CONSTRUCTION BELOW THE LEVEL OF THE ~~ONE HUNDRED-(100)~~ 100 YEAR FLOOD INCREASES RISKS TO LIFE AND PROPERTY. SUCH NOTIFICATION SHALL BE MAINTAINED AS PART OF THE RECORD OF ALL VARIANCE ACTIONS AS REQUIRED IN H. BELOW.
- G. THE APPLICANT/OWNER OF STORAGE STRUCTURES, GARAGE-STRUCTURE GARAGES, AND/OR ACCESSORY STRUCTURES FOR WHICH A VARIANCE

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IS GRANTED SHALL SIGN AN AGREEMENT THAT SUCH STRUCTURES SHALL NEVER BE CONVERTED TO HABITABLE SPACE.

- H. A RECORD OF ALL VARIANCE ACTIONS, INCLUDING JUSTIFICATION FOR THEIR ISSUANCE, SHALL BE MAINTAINED BY THE DEPARTMENT OF PLANNING, SHALL BE INCLUDED IN THE BI-ANNUAL REPORT SUBMITTED TO THE FEDERAL INSURANCE ADMINISTRATOR, AND SHALL BE AVAILABLE UPON REQUEST BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY OR ITS AUTHORIZED AGENT DURING PERIODIC ASSESSMENTS OF ~~THE CITY OF BALTIMORE~~ BALTIMORE CITY'S PARTICIPATION IN THE NATIONAL FLOOD INSURANCE PROGRAM.
- I. VARIANCES MAY ISSUED FOR THE RECONSTRUCTION, REHABILITATION OR RESTORATION OF STRUCTURES LISTED IN THE NATIONAL REGISTER OF HISTORIC PLACES OR STATE INVENTORY OF HISTORIC PLACES OR THE CITY LANDMARK LIST, WITHOUT REGARD TO THE PROCEDURES SET FORTH HEREIN PROVIDED THAT SUCH ACTIVITY DOES NOT CAUSE AN INCREASE IN THE ELEVATION OF THE ~~ONE HUNDRED~~ ~~(100)~~ 100 YEAR FLOOD AS ESTABLISHED AND ADOPTED BY THIS ORDINANCE.
- J. NOTICE OF THE FLOOD HAZARD AND THE VARIANCE ACTION SHALL BE PLACED ON THE DEED OR OTHER DOCUMENTS WHICH CONVEY TITLE OF ALL NEWLY CREATED OR RECORDED PROPERTIES.

SECTION-III:-MISCELLANEOUS

8. PENALTIES

ANY PERSON WHO VIOLATES A PROVISION OF THIS FLOODPLAIN MANAGEMENT ORDINANCE OR FAILS TO COMPLY WITH ANY REQUIREMENT THEREOF, SHALL BE HELD LIABLE FOR SUCH VIOLATION AND GUILTY OF A MISDEMEANOR, AND UPON CONVICTION THEREOF SHALL BE PUNISHABLE BY A FINE OF NOT MORE THAN \$500, EXCEPT AS PROVIDED HEREINBELOW, FOR EACH VIOLATION. EVERY DAY THAT A VIOLATION CONTINUES SHALL BE DEEMED A SEPARATE OFFENSE, AND PROOF THAT A VIOLATION EXISTS ON ANY DATE FOLLOWING THE ISSUANCE OF A NOTICE OF VIOLATION SHALL CONSTITUTE PRIMA FACIE EVIDENCE THAT THE VIOLATION HAS CONTINUED THROUGHOUT THE INTERVENING PERIOD OF TIME.

THE IMPOSITION OF A FINE OR PENALTY FOR ANY VIOLATION OF OR NONCOMPLIANCE WITH THIS ORDINANCE SHALL NOT EXCUSE THE VIOLATION OR NONCOMPLIANCE NOR PERMIT IT TO CONTINUE, AND ALL SUCH OFFENDERS SHALL BE REQUIRED TO CORRECT OR REMEDY SUCH VIOLATION OR NONCOMPLIANCE WITHIN A REASONABLE TIME.

ANY STRUCTURE CONSTRUCTED, RECONSTRUCTED, ENLARGED, ALTERED, OR RELOCATED IN NONCOMPLIANCE WITH THIS ORDINANCE IS HEREBY DECLARED TO BE A PUBLIC NUISANCE AND ABATABLE AS SUCH.

THE FEDERAL INSURANCE ADMINISTRATOR AND THE MARYLAND WATER RESOURCES ADMINISTRATION SHALL BE NOTIFIED IMMEDIATELY IN WRITING OF ANY STRUCTURE OR PROPERTY IN VIOLATION OF THIS ORDINANCE.

NEW OR RENEWAL NATIONAL FLOOD INSURANCE SHALL BE DENIED FOR

ANY STRUCTURE REMAINING IN VIOLATION OR SITUATED ON PROPERTY IN VIOLATION OF THIS ORDINANCE.

~~A- BALTIMORE-CITY'S-LIABILITY~~

9. MUNICIPAL AND PERSONAL NON-LIABILITY

THE GRANTING OF A PERMIT OR APPROVAL IS NOT A REPRESENTATION, GUARANTEE, OR WARRANTY OF ANY KIND AND SHALL ~~CREATE-NO~~ NEITHER CREATE NOR IMPOSE ANY LIABILITY UPON THE CITY ~~OF-BALTIMORE, ITS OFFICIALS OR-EMPLOYEES,~~ EMPLOYEES, OR AGENTS.

B 10. ADMINISTRATIVE FEES

THE CITY ~~OF-BALTIMORE~~ MAY IMPOSE ADDITIONAL APPLICATION FEES COMMENSURATE WITH THOSE COSTS INCURRED IN THE PROCESSING, REVIEW AND ~~ELEVATION~~ EVALUATION OF PERMIT APPLICATIONS FOR DEVELOPMENT IN THE FLOODPLAIN DISTRICT. SUCH COSTS MAY INCLUDE, BUT ARE NOT LIMITED TO: CONSULTANT FEES FOR CERTIFICATION OF AS-BUILT CONDITION OF STRUCTURES; FLOODPLAIN DISTRICT AND SUB-DISTRICT DELINEATIONS, ENVIRONMENTAL IMPACT CHARACTERIZATIONS, STAFF ASSIGNMENTS, AND OTHER RELATED COSTS.

~~C--ABROGATION-AND-GREATER-RESTRICTIONS~~

11. CONFLICTING PROVISIONS

THIS ORDINANCE SUPERSEDES ANY OTHER ORDINANCE CURRENTLY IN EFFECT IN THE FLOODPLAIN DISTRICT. HOWEVER, ANY OTHER ORDINANCE SHALL REMAIN IN FULL FORCE AND EFFECT TO THE EXTENT THAT ITS PROVISIONS ARE MORE RESTRICTIVE.

B 12. INTERPRETATION

IN THEIR INTERPRETATION AND APPLICATION, THE PROVISIONS OF THIS ORDINANCE SHALL BE:

- (1) CONSIDERED AS MINIMUM REQUIREMENTS;
- (2) LIBERALLY CONSTRUED IN FAVOR OF PROPER FLOOD HAZARD MANAGEMENT AND THE CITY-OF-BALTIMORE BALTIMORE CITY; AND
- (3) DEEMED NEITHER TO LIMIT NOR REPEAL ANY OTHER POWERS GRANTED UNDER THE ANNOTATED CODE OF MARYLAND.

SHOULD A DISPUTE ARISE CONCERNING THE INTERPRETATION OF THIS ORDINANCE, THE COUNSEL OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, THE MARYLAND DEPARTMENT OF NATURAL RESOURCES, OR THE FEDERAL EMERGENCY MANAGEMENT AGENCY 44 CODE OF FEDERAL REGULATIONS SHALL PREVAIL.

~~E---PARTIALLY~~ 13. PARTIAL INVALIDITY AND SEVERABILITY

IF ANY SECTION, SUBSECTION, PARAGRAPH, SENTENCE, CLAUSE, OR PHRASE OF THIS ORDINANCE SHOULD BE DECLARED INVALID FOR ANY

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REASON WHATSOEVER, SUCH DECISION SHALL NOT AFFECT THE REMAINING PORTIONS OF THIS ORDINANCE WITH WHICH SHALL REMAIN IN FULL FORCE AND EFFECT, AND FOR THIS PURPOSE, THE PROVISIONS OF THIS ORDINANCE ARE HEREBY DECLARED TO BE SEVERABLE.

SECTION IV:--EFFECTIVE-DATE-AND-SUBSEQUENT-AMENDMENTS

~~THIS ORDINANCE IS HEREBY ENACTED AND SHALL BECOME EFFECTIVE~~
~~-----7-19-----~~ SEC. 2. AND BE IT FURTHER
ORDAINED, THAT THIS ORDINANCE SHALL BE AMENDED AS REQUIRED
BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, 44 CODE OF
FEDERAL REGULATIONS. ALL SUBSEQUENT AMENDMENTS TO THIS
ORDINANCE ARE SUBJECT TO THE APPROVAL OF THE FEDERAL
EMERGENCY MANAGEMENT AGENCY AND THE MARYLAND DEPARTMENT OF
NATURAL RESOURCES.

SEC. 3. AND BE IT FURTHER ORDAINED, THAT THIS ORDINANCE
SHALL TAKE EFFECT ON THE 30TH DAY AFTER THE DATE OF ITS
ENACTMENT.

November 22, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 189

(Council No. 40)

AN ORDINANCE concerning

STREET ENCROACHMENT - SOUTH SIDE OF
2900 BLOCK OF WEST NORTH AVENUE

FOR the purpose of authorizing the construction and maintenance
of steps projecting from the properties on the south side of
the 2900 block of West North Avenue.

BY authority
Article 32 - Building Code
Section 507.2
Baltimore City Building Code (1985 Supplement)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF
BALTIMORE, That the construction and maintenance of 4 sets of
exterior steps along the south side of the 2900 block of West
North Avenue are hereby authorized. The concrete steps shall be
6 feet long and shall project varying distances into the right-
of-way.

Except as specifically provided in this ordinance, all
ordinances and all rules and regulations of the Mayor and City
Council of Baltimore shall be complied with in the construction
and maintenance of these steps.

Ord. No. 190

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th day after the date of its enactment.

November 18, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 190

(Council No. 177)

AN ORDINANCE concerning

IMPOUNDING ON CIDER ALLEY

FOR the purpose of changing the impounding area on Cider Alley.

By repealing and reordaining with amendments

Article 31- Transportation

Subtitle - Impounding Areas

Section 103 (7b)

Baltimore City Code (1983 Replacement Volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Section(s) of the Baltimore City Code (1983 Replacement Volume, as amended) be added, repealed, or amended to read as follows:

ARTICLE 31- TRANSPORTATION

IMPOUNDING AREAS

103. C. Streets.

(7B) CIDER ALLEY, BOTH SIDES, FROM EUTAW STREET TO PACA STREET.

Sec. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on date of its enactment.

November 18, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 191

(Council No. 226)

AN ORDINANCE concerning

FRANCHISE - VETERANS ADMINISTRATION

FOR the purpose of granting permission and authority to the Veterans Administration to erect, construct and maintain a one-story enclosed bridgeway above and across West Baltimore Street between Arch Street and North Green Street.

By Authority

Article VIII - Franchises

Charter of Baltimore City (1964 Revision, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission and authority be and the same hereby be granted to the Veterans Administration, its successors and assigns, hereinafter referred to as Grantee, to construct and maintain at its own cost and expense for the period not to exceed twenty-five (25) years, the following described structure:

A one-story enclosed superstructure or pedestrian bridgeway above and across the bed of West Baltimore Street between Arch Street and North Green Street to connect the building of the Grantee located on the north side of West Baltimore Street with the University of Maryland Hospital located on the south side of West Baltimore Street.

SEC. 2. AND BE IT FURTHER ORDAINED, That this bridgeway shall be constructed in all respects in accordance with the Building Code of Baltimore City and shall be completed and maintained under the supervision and to the satisfaction of the Commissioner, Department of Housing and Community Development of Baltimore City, and shall be at all times hereafter, subject to regulation and control by the said Commissioner.

SEC. 3. AND BE IT FURTHER ORDAINED, That the Mayor and City Council of Baltimore hereby expressly reserves the right and power, at all times, to exercise, in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with this grant, and not inconsistent with the terms thereof.

SEC. 4. AND BE IT FURTHER ORDAINED, That the franchise or right granted by this ordinance shall be executed and enjoyed within six months after the grant.

SEC. 5. AND BE IT FURTHER ORDAINED, That the said Grantee, its successors and assigns, shall maintain the said bridgeway in good condition throughout the full term of this grant.

SEC. 6. AND BE IT FURTHER ORDAINED, That the said Grantee, its successors and assigns, shall pay to the said Mayor and City Council of Baltimore, as compensation for the franchise or privilege hereby granted, the sum of \$30.00 per year, payable in advance during the continuance of this franchise or privilege, provided, however, that the Mayor and City Council of Baltimore, acting by and through the Board of Estimates, may increase or decrease the franchise charge payable by the Grantee under the provisions hereof by giving written notice to that effect to the Grantee at least one hundred and fifty (150) days prior to the expiration of this first five years of the term granted herein, or at the expiration of any subsequent five (5) year period of said term granted herein, any such increase or decrease of said franchise charge to be effective as of the beginning of the next succeeding five (5) year period of the term granted herein.

SEC. 7. AND BE IT FURTHER ORDAINED, That non-compliance at any time or times with any of the terms or conditions of the grant hereby made shall, at the option of the Mayor and City Council of Baltimore, operate as a forfeiture of the same, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 8. AND BE IT FURTHER ORDAINED, That the Mayor of Baltimore City shall have the right to revoke the rights and privileges hereby granted at any time or times when, in his judgment, the public interest, welfare, safety, or convenience requires such revocation, and upon written notice to that effect from the Mayor of Baltimore City served upon the Grantee, its successors or assigns, all such rights shall cease and determine.

SEC. 9. AND BE IT FURTHER ORDAINED, That in the event of any revocation, forfeiture, or termination of the rights and privileges by this ordinance granted, the said Grantee, its successors and assigns, shall, at their expense, promptly remove said bridgeway in a manner satisfactory to the Commissioner, Department of Housing and Community Development, without a compensation to the Grantee, its successors and assigns.

SEC. 10. AND BE IT FURTHER ORDAINED, That the said Grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore from and against any and all suits, losses, costs, claims, damages, or expenses to which the said Mayor and City Council of Baltimore may, from time to time, be subjected on account of, by reason of, or in any way resulting from - -

A. The presence, construction, use, operation, maintenance, alteration, repair, location, relocation, or removal of bridgeway; and

B. Any failure on the part of said Grantee, its successors and assigns, to perform, promptly and properly, any of the duties or obligations imposed upon it or them by the terms and provisions of this ordinance.

SEC. 11. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th day after the date of its enactment.

November 18, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 192

(Council No. 257)

AN ORDINANCE concerning

ZONING - AMENDMENT TO PLANNED UNIT DEVELOPMENT
FRANCIS SCOTT KEY MEDICAL CENTER

FOR the purpose of amending Ordinance No. 705, approved June 27, 1986, to approve an amendment to the Office-Residential Planned Development enacted pursuant to Ordinance No. 705, and to approve an amendment to the Development Plan submitted by FSK Land Corporation to permit construction of a parking structure.

BY authority of
Article 30 - Zoning
Section 12.0-1 and 12.0-3
Baltimore City Code (1983 Replacement Volume, as amended)

WHEREAS, Ordinance No. 705, approved June 27, 1986, enacted an Office-Residential Planned Development in accordance with Sections 12.0-1 and 12.0-3 of Article 30 of the Baltimore City Code (1983 Replacement Volume, as amended) and approved the Development Plan submitted by FSK Land Corporation concerning certain property more particularly described in Ordinance No. 705.

WHEREAS, Section 6 of Ordinance No. 705 provided that a portion of the property owned by FSK Land Corporation located east of the CSC building and west of Cornwall Street would continue to be used for surface parking and that construction of a parking structure on such portion of the property would constitute a modification to the Development Plan submitted by FSK Land Corporation requiring approval by Ordinance of the Mayor and City Council.

WHEREAS, FSK Land Corporation desires to amend the Development Plan to permit construction of such a parking structure.

WHEREAS, On May 17, 1988 representatives of FSK Land Corporation met with the Department of Planning to hold a pre-petition conference to explain the scope and nature of the proposed amendment to the Development Plan.

WHEREAS, Together herewith, FSK Land Corporation has made formal application to the City Council of Baltimore and has submitted an amendment to its Development Plan originally approved by Ordinance No. 705 and intended to satisfy the requirements specified in Sections 12.0-1 and 12.0-3 of the Baltimore City Code (1983 Replacement Volume, as amended); now, therefore,

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the application of FSK Land Corporation, as outlined in the Amended Development Plan accompanying this Ordinance, to amend the Office-Residential Planned Development approved by Ordinance No. 705, approved June 27, 1986, pursuant to Article 30, Sections 12.0-1 and 12.0-3 of the Baltimore City Code (1983 Replacement Volume, as amended), be and it is hereby approved.

SEC. 2. AND BE IT FURTHER ORDAINED, That the Amended Development Plan submitted by FSK Land Corporation, prepared by RTKL Associates, Inc., consisting of a revised Figure 8 "Open Space Diagram", dated ~~May-25~~ October 18, 1988, and a schematic design package including ten pages of various elevations of the parking structure, dated May 9, 1988, attached hereto and made a part hereof, be and it is hereby approved.

SEC. 3. AND BE IT FURTHER ORDAINED, That upon passage of this ordinance by the City Council, as evidence of the authenticity of the Amended Development Plan which is a part hereof and in order to give notice to the departments which are administering the Zoning Ordinance, the President of the City Council shall sign the Amended Development Plan, and when the Mayor approves the Ordinance, he shall sign the Amended Development Plan. The Director of Finance shall then transmit a copy of the Ordinance and the Amended Development Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the Supervisor of Assessments for Baltimore City and the Zoning Administrator of Baltimore City.

SEC. 4. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect from the date of its enactment.

November 18, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 193

(Council No. 294)

AN ORDINANCE concerning

REZONING - 630 N. PULASKI STREET

FOR the purpose of changing the zoning for the property known as 630 N. Pulaski Street from the M-1-2 Zoning District to the R-8 Zoning District, as outlined in red on the plat accompanying this ordinance.

BY amending Zoning District Maps

Sheet No. 54

Article 30 - Zoning

Baltimore City Code (1983 Replacement Volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sheet No. 54 of the Zoning District Maps of Article 30 of the Baltimore City Code (1983 Replacement Volume, as amended) title "Zoning" be and it is hereby amended by changing from the M-1-2 Zoning District to the R-8 Zoning District the property known as 630 N. Pulaski Street, as outlined in red on the plat accompanying this ordinance.

SEC. 2. AND BE IT FURTHER ORDAINED, That upon passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof and in order to give notice to the departments which are administering the Zoning Ordinance, the President of the City Council shall sign the plat and when the Mayor approves the ordinance, he shall sign the plat. The Director of Finance shall then transmit a copy of the ordinance and one of the plats to the following: the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of the Department of Housing and Community Development, the Supervisor of Assessments for Baltimore City and the Zoning Administrator.

SEC. 3. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th day after the date of its enactment.

November 18, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 194

(Council No. 330)

AN ORDINANCE concerning

RESERVED PARKING ON
HAMILTON STREET

For the purpose of providing for reserved parking on Hamilton Street for the Deputy Secretary of Licensing and Regulation.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That parking is reserved on Hamilton Street, south side from a point 30' east of St. Paul Street (Lower Level) to a point 53' east of St. Paul Street (Lower Level), for the Deputy Secretary of Licensing and Regulation, displaying a permit.

SEC. 2. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the date of its enactment.

November 18, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 195

(Council No. 116)

AN ORDINANCE concerning

REZONING -1435 N. FREMONT AVENUE

FOR the purpose of changing the zoning for the property known as 1435 N. Fremont Avenue from the R-8 Zoning District to the B-2-2 Zoning District, as outlined in red on the plat accompanying this ordinance.

BY amending Zoning District Maps

Sheet No. 44

Article 30

Baltimore City Code (1983 Replacement Volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sheet No. 44 of the Zoning District Maps of Article 30 of the Baltimore City Code (1983 Replacement Volume, as amended) title "Zoning" be and it is hereby amended by changing from the R-8 Zoning District to the B-2-2 Zoning District the property known as 1435 N. Fremont Avenue, as outlined in red on the plat accompanying this ordinance.

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SEC. 2. AND BE IT FURTHER ORDAINED, That upon passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof and in order to give notice to the departments which are administering the Zoning Ordinance, the President of the City Council shall sign the plat and when the Mayor approves the ordinance, he shall sign the plat. The Director of Finance shall then transmit a copy of the ordinance and one of the plats to the following: the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of the Department of Housing and Community Development, the Supervisor of Assessments for Baltimore City and the Zoning Administrator.

SEC. 3. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th day after the date of its enactment.

November 22, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 196

(Council No. 184)

AN ORDINANCE concerning

ZONING- APPROVAL FOR CONDITIONAL USE
NURSING HOME - 4915 HOLDER AVENUE

FOR the purpose of granting permission for the establishment, maintenance and operation of a nursing home on the property located at 4915 Holder Avenue as outlined in red on the plat accompanying this ordinance, subject to final licensure by the State Department of Health and Mental Hygiene and to certain other conditions.

BY authority
Article 30-Zoning
Sections 4.4-1d and 11.0-6d
Baltimore City Code (1983 Replacement Volume, as amended)
and
Article 12-Hospitals
Section 1
Baltimore City Code (1983 Replacement Volume, as amended)

Section 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission is hereby granted to Richard R. Rigler for the establishment, maintenance and operation of a nursing home on the property located at 4915 Holder Avenue as outlined in red on the plats accompanying this ordinance, under the provisions of Sections 4.4-1d and 11.0-6d of Article 30 of the Baltimore City Code (1983 Replacement Volume, as amended) title "Zoning", and Section 1 of Article 12, title "Hospitals" of the

Ord. No. 197

Baltimore City Code (1983 Replacement Volume, as amended), subject to final licensure by the State Department of Health and Mental Hygiene.

SEC. 2. AND BE IT FURTHER ORDAINED, That upon passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof and in order to give notice to the departments which are administering the Zoning Ordinance, the President of the City Council shall sign the plat and when the Mayor approves the ordinance, he shall sign the plat. The Director of Finance shall then transmit a copy of the ordinance and one of the plats to the following: The Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of the Department of Housing and Community Development, the Supervisor of Assessments for Baltimore City and the Zoning Administrator.

SEC. 3. AND BE IT FURTHER ORDAINED, That the permission granted by this Ordinance is subject to the following conditions:

(1) That actual construction shall commence within 24 months of the date of this ordinance;

(2) That the exterior of the structure shall be completed before any component part is occupied;

(3) That the number of nursing home beds shall not exceed 120;

(4) That the number of domiciliary care beds shall not exceed 30; and

(5) That the nursing home portion of the facility may only be used as a site for the relocation of existing certificate of need beds presently located at 1214 Eutaw Place.

Sec. 3 4. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th day after the date of its enactment.

November 22, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 197

(Council No. 312)

AN ORDINANCE concerning

REZONING - 303-309 S. POPPLETON STREET

FOR the purpose of changing the zoning for the properties known as 303-309 S. Poppleton Street from the M-3 Zoning District to the R-8 Zoning District, as outlined in red on the plat accompanying this ordinance.

BY amending Zoning District Maps

Sheet No. 55

Article 30 - Zoning

Baltimore City Code (1983 Replacement Volume, as amended)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sheet No. 55 of the Zoning District Maps of Article 30 of the Baltimore City Code (1983 Replacement Volume, as amended) title "Zoning" be and it is hereby amended by changing from the M-3 Zoning District to the R-8 Zoning District the properties known as 303-309 S. Poppleton Street, as outlined in red on the plat accompanying this ordinance.

SEC. 2. AND BE IT FURTHER ORDAINED, That upon passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof and in order to give notice to the departments which are administering the Zoning Ordinance, the President of the City Council shall sign the plat and when the Mayor approves the ordinance, he shall sign the plat. The Director of Finance shall then transmit a copy of the ordinance and one of the plats to the following: the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of the Department of Housing and Community Development, the Supervisor of Assessments for Baltimore City and the Zoning Administrator.

SEC. 3. AND BE IT FURTHER ORDAINED, That this ordinance shall take effect on the 30th day after the date of its enactment.

November 22, 1988

KURT L. SCHMOKE, Mayor

RESOLUTION NO. 1

(Council No. 56)

A RESOLUTION concerning

ECONOMIC DEVELOPMENT REVENUE BONDS (HERGET FACILITY)

FOR the purpose of authorizing and empowering the Mayor and City Council of Baltimore to issue and sell, from any time or from time to time, and in one or more series, as limited obligations and not upon its full faith and credit or pledge of its taxing power, its economic development revenue bonds, in the aggregate principal amount not to exceed Two Million Five Hundred Thousand Dollars (\$2,500,000) pursuant to and in accordance with the Maryland Economic Development Revenue Bond Act, Sections 14-101 to 14-109, inclusive, of Article 41 of the Annotated Code of Maryland (1986 Replacement Volume, 1987 Supplement), for the purpose of refunding the outstanding Mayor and City Council of Baltimore Industrial Development Revenue Bonds (Herget Project), 1982 Series, in the principal amount of Two Million Five Hundred Thousand Dollars (\$2,500,000), dated as of December 1, 1982 and issued on December 30, 1982, including the payment of all accrued and unpaid interest and redemption premiums (if any) thereon, which bonds were issued and sold for the purpose of financing the acquisition, construction and improvement of a certain building in Baltimore City; to accept the letter of intent dated December 9, 1987 to the City from Charles E. Herget, Jr., as supplemented to date; making certain legislative findings; reserving in the City certain rights concerning the issuance of such Bonds; authorizing and empowering the Board of Finance of the City, by a resolution or resolutions, and the Mayor, by executive order or otherwise, either before or after the issuance, sale and delivery of such bonds, to (a) prescribe among other things but not limited to, the form, terms, provisions, manner or method of issuing and selling (including negotiated as well as competitive bid sale), and the time or times of issuance, and any and all other details of such economic development revenue bonds and (b) do any and all things necessary, proper or expedient in connection with the issuance and sale of such bonds; providing that such bonds or bond anticipation notes issued in anticipation of the issuance of such bonds must be issued and sold within six months from the date this resolution is approved by the Mayor, unless the Board of Finance or the Mayor approves one six month extension as provided in this Resolution; authorizing the issuance of notes in anticipation of the issuance of such bonds; and generally providing for and determining various matters and details in connection with the issuance and sale of such bonds and bond anticipation notes.

RECITALS

The Maryland Economic Development Revenue Bond Act, Sections 14-101 to 14-109, inclusive, of Article 41 of the Annotated Code of Maryland (1986 Replacement Volume, 1987 Supplement) (the "Act"), provides that in order to accomplish the legislative policy of the Act, Mayor and City Council of Baltimore (the "City") and any other public body (as defined in the Act) may issue and sell its bonds (as defined in the Act), as its limited obligations and not upon its full faith and credit or pledge or its taxing power, at any time or from time to time, for the purpose of financing or refinancing any costs of the acquisition (as defined in the Act) of one or more facilities (as defined in the Act) for one or more facility users (as defined in the Act) or of refunding outstanding bonds, including the necessary expenses of preparing, printing, selling, and issuing those bonds, the funding of reserves, and the payment of interest with respect to financing such acquisition in such amounts, or for such period, as the public body deems reasonable. The powers granted to the City by the Act are for the legislative purposes of (i) relieving conditions of unemployment in the State and in Baltimore City, (ii) encouraging the increase of industry and commerce and a balanced economy in the State and in Baltimore City, (iii) assisting in the retention of existing industry and commerce and in the attraction of new industry and commerce in the State and in Baltimore City, (iv) promoting economic development in the State and in Baltimore City, and (v) promoting the general health, welfare and safety of the residents of the State and Baltimore City.

On December 30, 1982, the City issued and sold its Mayor and City Council of Baltimore Industrial Development Revenue Bonds (Herget Project) 1982 Series, in the aggregate principal amount of Two Million Five Hundred Thousand Dollars (\$2,500,000) (the "Series 1982 Bonds") and lent the proceeds thereof to Charles E. Herget, Jr. (the "Borrower"), for the purpose of financing the cost of the acquisition of a certain facility within the geographical boundaries of Baltimore City (the "Facility").

The Series 1982 Bonds were issued under and pursuant to (a) Subsection (50) of Article II of the Charter of Baltimore City (1964 Revision, as amended), (b) Ordinance No. 377, approved by the Mayor of the City on June 30, 1981, as amended by Ordinance No. 674, approved by the Mayor of the City on June 16, 1982, (c) the Resolution adopted by the Board of Finance of the City on December 20, 1982, and (d) the Indenture of Trust dated as of December 1, 1982 by and between the City and Equitable Bank, National Association, a Maryland banking corporation, as Trustee (the "Indenture").

The Facility constitutes and is operated by the Borrower as a multi-story office building with parking facilities adjacent to the Borrower's building located at 204 East Lombard Street,

together with (i) necessary or desirable equipment, tenant improvements, fixture and machinery, (ii) the land site and interests in land necessary or desirable for the Facility, together with roads or other rights of access, utilities and other necessary or desirable facilities, and (iii) all improvements, modifications and additions to all or any portion of the Facility.

The City has received a letter of intent dated December 9, 1987 (the "Letter of Intent"), and an application (the "Application") from the Borrower, pursuant to which the Borrower has requested the City to issue and sell its economic development revenue bonds, as its limited obligations and not upon its full faith and credit or pledge of its taxing power, at any time or from time to time and in one or more series, in an aggregate principal amount not to exceed Two Million Five Hundred Thousand Dollars (\$2,500,000) (the "Bonds"), pursuant to and in accordance with the Act, for the purpose of refunding the outstanding Series 1982 Bonds, including the payment of all accrued and unpaid interest and redemption premiums, if any, on the Series 1982 Bonds.

The Letter of Intent expresses the Borrower's intention that the interest payable on the Bonds shall be exempt from federal income taxation pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code"). The Borrower acknowledges in the Letter of Intent that the Bonds will not be subject to the City's volume cap, pursuant to Section 146(i) of the Code. The Borrower acknowledges in the Letter of Intent that the City reserves certain rights concerning the issuance of the Bonds as provided in Section 6 hereof.

The City, based upon the findings and determinations set forth below, has determined to issue, sell and deliver, at any time or from time to time and in one or more series, its Bonds in an aggregate principal amount not to exceed Two Million Five Hundred Thousand Dollars (\$2,500,000), and to lend the proceeds of the Bonds to the Borrower upon the terms and conditions of one or more loan agreements to be entered into between the City and the Borrower, such proceeds to be used by the Borrower solely and exclusively to refund the Series 1982 Bonds, including the payment of all accrued and unpaid interest and redemption premiums (if any) on the Series 1982 Bonds.

The Act provides that the City may authorize and empower the Board of Finance of the City (the "Board") by resolution, or the Mayor, by executive order or otherwise, to determine and set forth the form, terms, provisions, manner, or method of issuing and selling (including negotiated as well as competitive bid sale), and the time or times of issuance, and any and all other details of the Bonds and the issuance and sale thereof, and to do any and all things necessary, proper or expedient in connection

with the issuance and sale of the Bonds; now, therefore, in accordance with the Act

SECTION 1. BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That acting pursuant to the Act it is hereby found and determined as follows:

1.1. The Borrower is a "facility applicant" and a "facility user" within the meaning of the Act; the facility is a "facility" within the meaning of the Act; the Letter of Intent is a "letter of intent" within the meaning of the Act; and this Resolution is a "resolution" within the meaning of the Act;

1.2. The acquisition of the Facility and the financing thereof has promoted, and the refunding of the Series 1982 Bonds will continue to promote, the declared legislative purposes of the Act by (a) relieving conditions of unemployment in the state and in Baltimore City; (b) encouraging the increase of industry and commerce and a balanced economy in the state and in Baltimore City; (c) assisting in the retention of existing industry and commerce and in the attraction of new industry and commerce in the state and in Baltimore City; (d) promoting economic development; and (e) generally promoting the health, welfare and safety of the residents of the State and Baltimore City.

1.3. The Bonds and the interest thereon will be limited obligations of the City and the principal of, premium, if any, and interest thereon shall be payable solely from the revenues received in connection with the financing of the Facility or from any other monies made available to the City for such purpose. Any bond anticipation notes shall also be payable from the proceeds of the bonds in anticipation of which such notes were issued. Neither the Bonds nor the interest thereon shall ever constitute an indebtedness or a charge against the general credit or taxing powers of the City within the meaning of any constitutional or charter provision or statutory limitation and neither shall constitute or give rise to any pecuniary liability of the City.

1.4. Neither the proceeds of the Bonds nor the payments of the principal of, premium, if any, and interest on the Bonds will be commingled with the City's funds or will be subject to the absolute control of the City, but will be subject only to such limited supervision and checks and the City shall retain only those rights as are deemed necessary or desirable by the City to ensure that the proceeds of the Bonds are used to accomplish the public purposes of the Act and this Resolution. The transactions provided for hereby do not constitute any physical public betterment or improvement or the acquisition of property for public use or the purchase of equipment for public use. The refinancing of the costs of the acquisition of the Facility will achieve the public purposes of the Act.

SEC. 2. AND BE IT FURTHER RESOLVED, That this Resolution, among other things, evidences the present intent of the City to issue, sell and deliver the Bonds in accordance with the terms and provisions of the Resolution. The Mayor of the City (the "Mayor") is hereby authorized, empowered and directed to accept the Letter of Intent on behalf of the City in order to further evidence the present intent of the City to issue and sell the Bonds in accordance with the terms and provisions of the Resolution.

SEC. 3. AND BE IT FURTHER RESOLVED, That the City is hereby authorized and empowered to issue, sell and deliver the Bonds, at any time or from time and in one or more series, in an aggregate principal amount not to exceed Two Million Five Hundred Thousand Dollars (\$2,500,000), subject to the provisions of this Resolution. For the purposes of applying the foregoing limitation in the event that any refunding bonds or bonds issued to repay bond anticipation notes are issued, the outstanding principal amount of any bonds or bond anticipation notes, respectively, provision for the payment of which have been made from the proceeds of such refunding bonds or such bonds, respectively, or from other sources, shall not be taken into account when determining the aggregate principal amount of bonds issued, sold and delivered pursuant to this Resolution.

SEC. 4. AND BE IT FURTHER RESOLVED, That the Bonds shall mature not later than the final maturity date of the Series 1982 Bonds, which shall not be later than 30 years from the date of issuance of the Bonds.

SEC. 5. AND BE IT FURTHER RESOLVED, That the City will lend the proceeds of the Bonds to the Borrower pursuant to the terms and provisions of a loan agreement (within the meaning of the Act) or a financing agreement (the "Loan Agreement"), to be used by the Borrower for the sole and exclusive purpose of refunding the Series 1982 Bonds, including the payment of all accrued and unpaid interest and redemption premiums (if any) on the Series 1982 Bonds. The Loan Agreement will provide that the Borrower will make payments which will be sufficient to enable the City to pay the principal of, premium, if any, and interest on the Bonds when and as the same become due and payable.

SEC. 6. AND BE IT FURTHER RESOLVED, That the City reserves the right, and in its sole and absolute discretion, to take any action deemed necessary by the City in order to ensure that the City (a) complies with present federal and state laws and any pending or future federal or state legislation, whether proposed or enacted, which may affect or restrict the issuance of the Bonds, and (b) issues the Bonds, within the limits imposed by any such laws, or any such pending or future legislation or any future local laws, to finance those facilities which the City determines, in its sole and absolute discretion, will provide the greatest benefit to the City.

In particular, the City reserves the right to choose to issue its bonds (within the meaning of the Act and any present or future state or local laws) in such order of priority as it may determine in its sole and absolute discretion.

Pursuant to the provisions of this Section 6 the City reserves the right in its sole and absolute discretion, to, among other things, (a) never issue the Bonds, (b) issue only a portion of the aggregate principal amount of the Bonds requested by the Borrower, (c) restrict the use of the proceeds of the Bonds, (d) delay indefinitely the issuance of the Bonds, or (e) take any other actions deemed necessary by the City, in its sole and absolute discretion, in order to ensure that the City achieves the goals set forth in the preceding paragraph.

SEC. 7. AND BE IT FURTHER RESOLVED, That the Bonds shall be executed in the name of the City and on its behalf by the Mayor by his manual or facsimile signature, and by the Director of Finance of the City, by his manual or facsimile signature, and the corporate seal of the City or a facsimile thereof shall be impressed or otherwise reproduced thereon and attested by the Custodian of the City Seal by his manual or facsimile signature. The Mayor, the Director of Finance of the City, the Custodian of the City Seal and other officials of the City are hereby authorized and empowered to do all such acts and things and to execute, acknowledge, enseal and deliver on behalf of the City such documents and certificates, including (without limitation) the Loan Agreement, as the Board of Finance or the Mayor may determine to be necessary or desirable to carry out and comply with the provisions of this Resolution, subject to the limitations set forth in the Act and any limitations set forth in this Resolution. If any officer whose signature or a facsimile of his signature appears on the Bonds or any of the aforesaid documents ceases to be such officer before the delivery of the Bonds or any of the other aforesaid documents, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

SEC. 8. AND BE IT FURTHER RESOLVED, That, as permitted by the Act, the Bonds either may be sold at a private (negotiated) sale, at par or at such other prices as the Board of Finance or the Mayor, with the consent of the Borrower, deems appropriate, or may be sold at a public sale, at par, above or below par, with the consent of the Borrower, in either or both of which events, the Bonds shall be sold in such manner, at such times, and upon such term and conditions as the Board of Finance or the Mayor deems to be in the best interest of the City.

SEC. 9. AND BE IT FURTHER RESOLVED, That prior to the issuance, sale and delivery of the Bonds, the Board of Finance by a resolution or resolutions, or the Mayor by executive order or otherwise;

9.1. shall prescribe the form, tenor, terms and conditions of and security for the Bonds;

9.2. shall prescribe the principal amount, rate or rates of interest, denomination or denominations, date, maturity or maturities (within the limits prescribed by the Act and the Code), for the Bonds:

9.3. may appoint a trustee or trustees, a bond ~~register~~ registrar and a paying agent or agents for the Bonds;

9.4. shall approved the form and contents of, and execute and deliver (where applicable), the Loan Agreement, and such documents, including (without limitation) trust agreements, assignments, mortgages, deed of trusts, guarantees and security instruments to which the City is a party and which may be necessary or desirable to effectuate the issuance, sale and delivery of the Bonds;

9.5. may prepare and distribute, in conjunction with representatives of the Borrower and the prospective purchasers of or underwriters or placement agents for, the Bonds, both a preliminary and a final official statement, an offering circular or other similar documents in connection with the sale of the Bonds, if determined to be necessary or desirable in connection with the sale of the Bonds, provided, however, that any such offering circular or such preliminary official statement shall be clearly marked to indicate that it is subject to completion and amendment;

9.6. may execute and deliver a contract or contracts for the placement, purchase and sale of the Bonds (or any portion thereof) in form and content satisfactory to the Board of Finance or the Mayor;

9.7. shall determine the time of execution, issuance, sale and delivery of the Bonds, and prescribe any an all other details of the Bonds;

9.8. shall determine the method, and approve the terms, of the sale of the Bonds, as provided in Section 8 of this Resolution;

9.9. shall provide for the direct payment by the Borrower of all costs, fees and expenses incurred by or on behalf of the City in connection with the issuance, sale and delivery of the Bonds, including (without limitation) costs of printing (if any) and issuing the Bonds, legal expenses (including the fees of bond counsel) and the compensation to any person (other than full-time employees of the City) performing services by or on behalf of the City in connection therewith;

9.10 may provide for the issuance and sale (subject to the passage at the time of an appropriate resolution authorizing the same) of one or more series of additional bonds and one or more series of refunding bonds;

9.11. may provide for the funding of reserves for the Bonds and for the payment of interest on the Bonds in such amounts, or for such period, as the Board of Finance or the Mayor deems reasonable; and

9.12. may specify, prescribe, determine, provide for or approve such other matters, details, forms, documents or procedures and do any and all things necessary or appropriate for the authorization, sale, security, issuance, delivery or payment of or for the Bonds and in order to accomplish the legislative policy of the Act and the public purposes of this Resolution, subject to the limitations set forth in the Act and any limitations prescribed by this Resolution.

SEC. 10. AND BE IT FURTHER RESOLVED, That the Board of Finance is hereby authorized and empowered to adopt one or more resolutions from time to time, either before or after the issuance, sale and delivery of the Bonds, to supplement the resolution or resolutions referred to in the provisions of Section 9 hereof, and the Mayor is hereby authorized and empowered, by executive order or otherwise, either before or after the issuance, sale and delivery of the Bonds, to supplement the executive order referred to in the provisions of Section 9 hereof, and thereby approve amendments or supplements to or substitutes for the forms and provisions of Bonds, the Loan Agreement, any trust agreement or similar agreement and all other documents approved by such resolution or resolutions or executive order or executive orders, provided that each supplemental resolution or supplemental executive order and each such amendment, supplement or substitute shall be in accordance with the provisions of the Act, this Resolution and the documents executed in connection with the Bonds and then in effect.

SEC. 11. AND BE IT FURTHER RESOLVED, That the provisions of this Resolution are severable, and if any provisions, sentence, clause, section or part hereof is held to be illegal, invalid or unconstitutional or inapplicable to any person or circumstances, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Resolution or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Resolution would have been passed if such illegal, invalid or unconstitutional provisions, sentence, clause, section or part had not been included herein, and if the person or circumstances to which this Resolution or any part hereof is inapplicable had been specifically exempted herefrom.

SEC. 12. AND BE IT FURTHER RESOLVED, That either the Bonds or any bond anticipation notes must be issued and sold and within six (6) months from the date on which this Resolution is approved by the Mayor, provided, however, that (a) the Mayor, by executive order or otherwise, after a showing of good cause, prior to or after the expiration of such six month period, or (b) the Board of Finance, after showing of good cause at a public hearing held before the Board of Finance prior to or after the expiration of such six month period, may extend the period during which either the Bonds or any notes in anticipation thereof may be issued and sold for one additional term not exceeding six (6) months from the date on which the first six month period expires. The Board of Finance or Mayor shall have sole and absolute discretion without action by the City Council of the City to determine the sufficiency or lack of sufficiency of any reason, if any is given, for the requested extension for the first six month period. If if an extension is granted, notice of such extension and the reasons therefore must be sent to the City Council. To the extent that neither the Bonds nor such bond anticipation notes are issued and sold within twelve (12) months from the date on which this Resolution is approved by the mayer Mayor, the authority provided in this Resolution for the City to issue and sell the Bonds and any bond anticipation notes shall expire; provided, however, that the expiration of the authority to issue the Bonds, as contained in this Resolution, shall not affect the present intent of the City to issue the Bonds, as described in Section 2 hereof.

SEC. 13. AND BE IT FURTHER RESOLVED, That this Resolution shall take effect from the date of its enactment.

February 16, 1988

Kurt L. Schmoke, Mayor

ORDINANCE NO. 2

(Council No. 109)

A RESOLUTION concerning

ECONOMIC DEVELOPMENT REFUNDING REVENUE BONDS -
(UNIVERSITY WEST LIMITED PARTNERSHIP PROJECT)

FOR the purpose of approving the issuance and sale pursuant to the Maryland Economic Development Revenue Bond Act by Mayor and City Council of Baltimore (the "Issuer"), as its limited obligations and not upon its faith and credit or pledge of its taxing powers, at any time or from time to time and in one or more series, of its Economic Development Refunding Revenue Bonds in an aggregate principal amount not to exceed Two Million Two Hundred Fifty Thousand Dollars (\$2,250,000), for

the purpose of refunding the bonds issued, sold and delivered pursuant to Resolution NO. 77, adopted by the Issuer on December 17, 1985 and Executive Order No. 85-24 issued by the Mayor on December 30, 1985 for the purpose of financing the costs, charges, fees and expenses in connection with the acquisition by University West Limited Partnership, a Maryland limited partnership (the "Borrower") of a certain facility (as defined in such act) which facility shall consist of one or more of the following: (i) the acquisition by the Borrower of an approximately 88,000 square foot tract of land located at 104-106 West University Parkway in Baltimore City, Maryland (the "Land"), (ii) the renovation of two buildings located on the Land containing in the aggregate approximately 76 residential rental units (the "Buildings"), (iii) the acquisition and installation in the Buildings of such machinery and equipment, and any or all other improvements therein, as were necessary or useful in connection with the operation of the business, which facility is owned by the Borrower and leased to various residential tenants; providing for the issuance and sale of such refunding bonds; authorizing the Mayor of the Issuer, by Executive Order or otherwise, to specify, prescribe, determine, provide for or approve certain matters, details, forms, documents or procedures appropriate to the authorization, sale, security, issuance, delivery, or payment of or for such refunding bonds; and specifying and describing various matters in connection therewith, as required or permitted by such act.

RECITALS

The Maryland Economic Development Revenue Bond Act, codified at Sections 14-101 through 14-109 of Article 41 of the Annotated Code of Maryland (1986 Replacement Volume, 1987 Supplement), (the "Act"), empowers all the counties and municipalities of the State of Maryland (the "State") to issue and sell revenue bonds or refunding revenue bonds (as hereinafter defined) as limited obligations and not upon their faith and credit or pledge of their taxing power, at any time and from time to time, for the purposes of financing or refinancing the acquisition by the facility user of any facility (all as defined in the Act). The term "Refunding Revenue Bond" means an issue of governmental obligations the proceeds of which are used to pay any principal on any other issue of governmental obligations.

The Act declares it to be the legislative purpose to relieve conditions of unemployment in the State, to encourage the increase of industry and a balanced economy in the State, to assist in the retention of existing industry and commerce and in the attraction of new industry and commerce in the State

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(through, among other things, port development and the control, reduction or abatement of pollution of the environment and the utilization and disposal of wastes (where proceeds of the bonds are used for that purpose)), to promote economic development, to protect natural resources and encourage resource recovery and generally to promote the health, welfare and safety of the residents of each of the counties and municipalities of the State.

On December 17, 1985, the City Council of Mayor and City Council of Baltimore, a body politic and corporate and political subdivision of the State of Maryland (the "Public Body" or the "City") adopted Resolution No. 77, approved by the Mayor on December 27, 1985 (the "Resolution"), finding that the City's participation in the financing of the acquisition of a facility by University West Limited Partnership, a Maryland limited partnership (the "Facility Applicant" or the "Borrower") (as defined in the Act), located within the boundaries of the City of Baltimore (the "Facility") by authorizing the issuance and sale of its revenue bonds in the aggregate principal amount not to exceed \$2,250,000, would further accomplish the legislative policy of the Act pursuant to the Resolution. Such bonds were issued by the City on December 30, 1985, in the principal amount of \$2,250,000 (the "Refunded Bonds"), to finance a portion of the Facility (hereinafter defined).

The City has received a letter of intent dated January 25, 1988, a copy of which is attached hereto as Exhibit A and made a part hereof (the "Letter of Intent"), from the Facility Applicant requesting the City to participate in the refinancing of the costs of acquisition of the Facility by the issuance and sale by the City of refunding revenue bonds in an aggregate principal amount not to exceed \$2,250,000 (the "Refunding Bonds"), pursuant to and in accordance with the Act. As used herein, the term "Bonds" shall mean the Refunded Bonds and the Refunding Bonds.

Any bonds issued and sold as part of the Refunded Bonds (i) for payment of which (both principal and interest) provision has been made from the proceeds (including any earnings on the investment thereof) of the Refunding Revenue Bonds authorized to be issued, sold and delivered by this Resolution or (ii) which have been paid from such proceeds, whether such provisions for payment, or such payment is made at or prior to the maturity of such bonds, are referred to herein as the "Refunded Bonds".

The City, base upon the findings and determinations set forth below, has determined to participate in the refinancing of the costs of the acquisition of the Facility by the issuance, sale and delivery, at any time or from time to time and in one or more series, of the Refunding Bonds in an aggregate principal amount not to exceed \$2,250,000 (but in no event to exceed the principal amount due on the Refunded Bonds at the time of the closing of the Refunding Bonds) and by the loan of the proceeds

of the Refunding Bonds to the Facility Applicant to pay, in whole or in part, the principal due on the Refunded Bonds, subject to the terms and conditions of a loan or similar agreement (the "Loan Agreement"), as permitted by the Act.

The Loan Agreement will, among other things, require the Borrower (a) to use the proceeds of the Refunding Bonds to pay, in whole or in part, the principal due on the Refunded Bonds, and (b) to make loan payments which will be sufficient to enable the City to pay the principal of and interest and premium, if any, on the Refunding Bonds when and as the same shall become due and payable.

NOW THEREFORE, IN ACCORDANCE WITH THE ACT:

SECTION 1. BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the words and terms used in this Resolution that defined in the Act shall have the meanings indicated in the Act, unless the context clearly requires a contrary meaning.

SEC. 2. AND BE IT FURTHER RESOLVED, That acting pursuant to the Act, it is hereby found and determined as follows:

(1) The issuance and sale of the Refunding Bonds by the City, pursuant to the Act, for the sole and exclusive purpose of lending the proceeds of the Refunding Bonds to the Facility Applicant, to pay, in whole or in part, the principal due on the Refunded Bonds, will facilitate and expedite the acquisition of the Facility.

(2) The acquisition of the Facility and the refinancing thereof as provided in this Resolution will promote the declared legislative purposes of the Act by (a) sustaining jobs and employment, thus relieving conditions of unemployment in the State and in the City of Baltimore; (b) encouraging the increase of industry and commerce and a balanced economy in the State and in the City of Baltimore; (c) assisting in the retention of existing industry and commerce and in the attraction of new industry and commerce in the State and in the City of Baltimore; (d) promoting economic development; and (e) generally promoting the health, welfare and safety of the residents of the State and in the City of Baltimore.

(3) The Bonds of any series and the interest on them are limited obligations of the City the principal of, premium, if any, and interest on which are payable solely (except for bond anticipation notes) from revenues to be received in connection with the Facility and from any other moneys made available to the City for such purpose. Neither the Bonds of any series nor the interest thereon shall ever constitute an indebtedness or a charge against the general credit or taxing powers of the City within the meaning of any constitutional or charter provision or

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statutory limitation and neither shall ever constitute or give rise to any pecuniary liability of the City.

(4) Neither the proceeds of the Bonds of any series nor the payments of the principal of and premium, if any, and interest on the Bonds of any series will be commingled with the City's funds or will be subject to the absolute control of the City, but will be subject only to such limited supervision and checks as are deemed necessary or desirable by the City to insure that the proceeds of the Bonds of any series are used to accomplish the public purposes of the Act and this Resolution. The loan form of transaction authorized hereunder shall in no event constitute a capital project within the meaning of any charter or statutory provision. The public purposes expressed in the Act are to be achieved by facilitating the refinancing of Facility.

SEC. 3. AND BE IT FURTHER RESOLVED, That this Resolution, among other things, evidences the bona fide present intent of the City to issue, sell and deliver the Refunding Bonds in accordance with the terms and provisions of this Resolution. The Mayor of the City is hereby authorized, empowered, and directed to accept the Letter of Intent on behalf of the City in order to further evidence the intent of the City to issue and sell the Refunding Bonds in accordance with the terms and provisions of this Resolution.

SEC. 4. AND BE IT FURTHER RESOLVED, That the City issue, sell and deliver the Refunding Bonds, at any time or from time to time and in one or more series, in an aggregate principal amount not to exceed \$2,250,000 (but in no event to exceed the principal amount due on the Refunded Bonds at the time of the closing of the Bonds), subject to the provisions of this Resolution. The City will lend the proceeds of the Refunding Bonds to the Facility Applicant to pay, in whole or in part, the principal due on the Refunded Bonds, subject to the terms and conditions of the Loan Agreement.

The Loan Agreement entered into with respect to the Refunding Bonds will, among other things, require that (1) the proceeds of the Refunding Bonds be used to pay, in whole or in part, the principal due on the Refunded Bonds, and (2) the Facility Applicant make payment which will be sufficient to enable the City to pay the principal of the interest and premium, if any, on the Refunding Bonds when and as the same become due and payable.

SEC. 5. AND BE IT FURTHER RESOLVED, That, as permitted by the Act, the provisions set forth in this Resolution for the issuance and sale of the Refunding Bonds are intended and shall be deemed to include provisions for the issuance and sale of bond anticipation notes without the adoption of any further resolution or other action by the legislative body of the City.

Accordingly, the words "bonds" and "Bonds", as used in this Resolution, shall include such bond anticipation notes, unless the context clearly requires a contrary meaning. At no time shall the aggregate principal amount of any bond anticipation notes exceed the amount set forth in Section 4 hereof. It is intended that the aggregate principal amount of issued and outstanding bond anticipation notes when added to the aggregate principal amount of issued and outstanding Bonds, in anticipation of which such notes were issued, shall not exceed the aggregate principal amount set forth in the Section 4 hereof at any time. The City will agree to pay any bond anticipation notes issued pursuant to this Resolution and the interest and premium, if any, thereon from the proceeds of the Bonds in anticipation of the sale of which such notes are issued, and the City will agree to issue such Bonds when, and as soon as, the reason for deferring the issuance of the Bonds no longer exists. The timely issuance of such Bonds, however, is dependent upon matters not within the control of the City, including (without limitation) the existence of a purchaser or purchasers for such Bonds and the effectiveness of various actions taken by the Facility Applicant, its officers, agents and employees.

SEC. 6. AND BE IT FURTHER RESOLVED, That the Refunding Bonds may be issued at any time or from time to time and in one or more series, and each series of the Refunding Bonds shall be identified by the year of issue or by some other or additional appropriate designation.

SEC. 7. AND BE IT FURTHER RESOLVED, That the Refunding Bonds shall be executed in the name of the City and on its behalf by the Mayor, by his manual or facsimile signature, and by the Director of Finance of the City, by his manual signature, and the corporate seal of the City or a facsimile thereof shall be impressed or otherwise reproduced thereon and attested by the Custodian of the City Seal or his alternate, by his manual or facsimile signature as require by law. The Loan Agreement and, where applicable, all other documents as the Mayor deems necessary to effectuate the issuance, sale and delivery of the Bonds of any series, shall be executed in the name of the City and on its behalf by the Mayor, by his manual signature, and the corporate seal of the City or a facsimile thereof shall be impressed or otherwise reproduced thereon and attested by the Custodian of the City Seal or his alternate, by his manual signature. If any officer whose signature or countersignature or a facsimile of whose signature or countersignature appears on the Bonds of any series or any coupons or any of the aforesaid documents ceases to be such officer before the delivery of the Bonds of such series or any of the other aforesaid documents, such signature or countersignature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery. The Mayor, the Director of Finance of the City, the Custodian of the City Seal or his alternate and other officials of the City are

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hereby authorized and empowered to do all such acts and things and execute such documents and certificates as the Mayor may determine to be necessary to carry out and comply with the provisions of this Resolution, subject to the limitations set forth in the Act and any limitations set forth in this Resolution.

SEC. 8. AND BE IT FURTHER RESOLVED, That, as permitted by the Act, the Refunding Bonds may be sold at public (competitive bid) sale or by private (negotiated) sale and upon such terms (at, above, or below par) and conditions as the Mayor shall approve. The Board deems it to be in the best interests of the City to authorize the Mayor to determine the method, and to approve the terms, of the sale of the Refunding Bonds, within the limitations of the Act and this Resolution.

SEC. 9. AND BE IT FURTHER RESOLVED, That, the Mayor by executive order or otherwise:

(1) shall prescribe the form, tenor, terms and conditions of and security for the Refunding Bonds;

(2) shall prescribe the principal amounts, rate or rates of interest, premiums, if any, denominations, date, maturity or maturities (within the limits prescribe in the Act), and the time, place or places of payment of the Refunding Bonds, and the terms and conditions and details under which the Refunding Bonds may be called for redemption prior to their stated maturities;

(3) if necessary, may appoint a trustee, a bond registrar and a paying agent or agents for the Refunding Bonds;

(4) shall approve the form and contents of, and execute and deliver (where applicable), the Loan Agreement, and such other documents, including (without limitation) trust agreements, assignments, mortgages, deeds of trust, guaranties and security instruments (the "Bond Documents") to which the City is a party and which may be necessary to effectuate the issuance, sale and delivery of the Refunding Bonds;

(5) may prepare and distribute, in conjunction with representatives of the Facility Applicant and the prospective purchasers of or underwriters for the Refunding Bonds, both a preliminary and a final official statement in connection with the sale of the Refunding Bonds, if such preliminary official statement and final official statement are determined to be necessary or desirable for the sale of the Refunding Bonds, provided, however, that any such preliminary official statement shall be clearly marked to indicate that it is subject to completion and amendment;

(6) may execute and deliver a contract or contracts for the

purchase and sale of the Refunding Bonds (or any portion thereof) in form and content satisfactory to the Mayor;

(7) shall determine the time of execution, issuance, sale and delivery of the Refunding Bonds and prescribe any and all other details of the Refunding Bonds;

(8) shall determine the method, and approve the terms, of the sale of the Refunding Bonds, as provided in Section 8 hereof;

(9) shall provide for the direct payment by the Facility Applicant of all costs, fees and expenses incurred by or on behalf of the City in connection with the issuance, sale and delivery of the Refunding Bonds, including (without limitation) costs of printing (if any) and issuing the Refunding Bonds, legal expenses (including the fees of bond counsel) and compensation to any person (other than full-time employees of the City performing services by or on behalf of the City in connection therewith);

(10) may provide for the issuance and sale (subject to the passage at the time of any appropriate resolution authorizing the same) of one or more series of additional bonds and one or more series of refunding revenue bonds;

(11) do any and all things necessary, proper or expedient in connection with the issuance, sale and delivery of the Refunding Bonds and in order to accomplish the legislative policy of the Act and the public purposes of this Resolution, subject to the limitations set forth in the Act and any limitations prescribed by this Resolution.

SEC. 10. AND BE IT FURTHER RESOLVED, That the provisions of this Resolution are severable, and if any provision, sentence, clause, section or part hereof is held to be illegal, invalid or unconstitutional or inapplicable to any person or circumstances, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Resolution or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Resolution would have been passed if such illegal, invalid or unconstitutional provision, sentence, clause, section or part had not been included herein, and if the person or circumstances to which this Resolution or any part hereof are inapplicable had been specifically exempted herefrom.

SEC. 11. AND BE IT FURTHER RESOLVED, That this Resolution is intended to be, and shall constitute, evidence of the intent of the City to issue and deliver the Refunding Bonds authorized hereby in accordance with the terms hereof, provided, however, that if no Refunding Bonds have been issued pursuant to this Resolution within six months after the effective date of this Resolution, the authority of the City to issue the Refunding Bonds granted hereunder shall end; provided, however, that the

Board of Finance of the City (the "Board") may, after a showing of good cause at a public hearing held before the Board, extend such authorization for one additional term not to exceed six months. The Board, in its sole discretion, shall determine the sufficiency, or lack thereof, of the reasons presented for any requested extension of this Resolution. If an extension is granted, notice of such extension and the reasons therefor must be sent to the City Council.

SEC. 12. AND BE IT FURTHER RESOLVED, That this Resolution shall take effect on the date of its enactment.

March 28, 1988

Kurt L. Schmoke, Mayor

RESOLUTION NO. 3

(Council No. 155)

A RESOLUTION concerning

ILLEGAL DUMPING - CITY POLICY

FOR the purpose of reaffirming the determination of the City of Baltimore to rid the City of the blight of illegally dumped refuse by diligently and vigorously enforcing the laws prohibiting illegal dumping.

WHEREAS, The dumping of rubbish, garbage, construction material, tires, and other unwanted debris is a shameful blight on the roadsides, alleys, vacant lots, public lands, and waterways of the City; and

WHEREAS, Such dumping threatens the health, welfare, and safety of the inhabitants of the City, and defaces and disfigures our environment; and

WHEREAS, The City of Baltimore and the State of Maryland have enacted laws which prohibit dumping anywhere except in specifically designated areas; and

WHEREAS, People who dump refuse in parks and other public places know full well that they are violating the law in flagrant disregard of their responsibilities as citizens of a community; now therefore be it

RESOLVED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That it is determined to rid the City of the hazardous and ugly blight of illegally dumped refuse; and be it further

RESOLVED, That the Baltimore City Health Department, diligently enforce the laws that prohibit illegal dumping; and be it further

RESOLVED, That it is the policy of the City to vigorously prosecute all persons who dump illegally by seeking the highest penalties allowed in the law as well as requiring the strictest of clean-ups.

March 28, 1988

Kurt L. Schmoke, Mayor

RESOLUTION NO. 4

(Council No. 121)

A Resolution concerning

THE BALTIMORE CITY, MARYLAND ECONOMIC DEVELOPMENT REVENUE
BOND (CENTENNIAL/WARREN TECHNOLOGY ASSOCIATES LIMITED
PARTNERSHIP FACILITY), 1985 SERIES, IN THE ORIGINAL
PRINCIPAL AMOUNT OF \$4,800,000

FOR the purpose of approving (a) the assignment by Centennial/Warren Technology Associates Limited Partnership, a Maryland limited partnership, of its rights and borrower's obligations in connection with the Baltimore City, Maryland Economic Development Revenue Bond (Centennial/Warren Technology Associates Limited Partnership Facility), 1985 Series, in the original principal amount of \$4,800,000, to Jiffy Lube International, Inc., a Maryland corporation, or a related entity as the new borrower, relating to the facility financed with the proceeds of such bond and located at the northwest corner of Metro Drive and Mount Hope Drive in Baltimore City, Maryland from Centennial/Warren Technology Associates Limited Partnership to Jiffy Lube International, Inc., or a related entity, and (b) the modification and amendment of various documents executed in connection with the issuance of such bond; the approval of various other items; authorizing the Mayor or President of the City Council of Baltimore to more specifically prescribe, determine, specify, provide for, or approve certain matters, details, forms, documents, releases or procedures appropriate to the assignment, assumption, modification and consent relating to such facility and the obligations under such bond; and specifying and describing various matters in connection therewith.

RECITALS

On November 6, 1985, the Mayor and City Council of Baltimore, a body politic and corporate and a political

subdivision of the State of Maryland (the "Issuer") executed and delivered its Baltimore City, Maryland Economic Development Revenue Bond (Centennial/Warren Technology Associates Limited Partnership Facility), 1985 Series (the "Bond"), in the original principal amount of \$4,800,000, to Maryland National Bank, a national banking association (the "Holder"). The proceeds of the bond were lent to Centennial/Warren Technology Associates Limited Partnership, a Maryland Limited Partnership (the "Borrower"), to acquire certain real property and improvements located at the northwest corner of Metro Drive and Mount Hope Drive, in Baltimore City, Maryland (the "Facility"). The Issuer, the Holder, the Borrower, Centennial Development Corporation, as guarantor, Pete T. Scamardo and Andrea R. Scamardo, as Personal Guarantors, among others, executed various documents in connection with the Bond (the "Bond Documents").

For various economic reasons, the Borrower intends to assign its rights and obligations in connection with the Bond and the Facility to Jiffy Lube International, Inc., a Maryland corporation or related entity (the "Purchaser"), which, in turn, intends to assume the Borrower's rights and obligations. Additionally, Centennial Development Corporation, as well as Pete T. Scamardo and Andrea R. Scamardo, will be released from their obligations; other entities may or may not jointly and severally assume the responsibilities and obligations of guarantors.

The Purchaser has requested the written consent of both the Holder and Issuer to this intended transaction. By letter dated February 22, 1988, the Holder has indicated its intent to consent to the assignment and assumption of the Borrower's Obligations (as defined in the Bond Documents) relating to the Facility, and to the modification of the Bond Documents, all subject to certain conditions; now, therefore,

SECTION 1. BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Issuer hereby determines that the assignment and assumption of the Borrower's Obligations and the modification of the Bond Documents will foster continued use of the Facility.

SEC. 2. AND BE IT FURTHER RESOLVED, That the Issuer hereby approves the assignment and assumption of the Borrower's Obligations and the modification of the Bond Documents, subject only to the final approval by either the Mayor of the Issuer or the President of the City Council of the Issuer, such approval to be evidenced by his signature on the document effecting the assignment, assumption and modification.

SEC. 3. AND BE IT FURTHER RESOLVED, That the Mayor of the City, the President of the City Council, the Director of Finance of the City, the Custodian and Alternate Custodian of the City Seal, and other officials of the City are hereby authorized and empowered to do all such acts and things and execute such documents and certificates as the Mayor of the City or the

President of the City Council may determine to be necessary, proper, or expedient in carrying out and complying with the provisions hereof.

SEC. 4. AND BE IT FURTHER RESOLVED, That the provisions of this Resolution are severable, and if any provision, sentence, clause, section or part hereof is held illegal, invalid, unconstitutional or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Resolution or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Resolution would have been passed if such illegal, invalid or unconstitutional provision, sentence, clause, section or part had not been included herein, as if the person or circumstances to which this Resolution or any part hereof are inapplicable had been specifically exempted herefrom

SEC. 5. AND BE IT FURTHER RESOLVED, That this Resolution shall take effect on the date of its enactment.

March 30, 1988

Kurt L. Schmoke, Mayor

RESOLUTION 5

(Council No. 174)

A RESOLUTION concerning

ECONOMIC DEVELOPMENT REVENUE BONDS -
(GARAMOND/PRIDEMARK PRESS, INC. FACILITY)

FOR the purpose of authorizing and empowering the Mayor and City Council of Baltimore to issue and sell, from any time or from time to time, and in one or more series, as limited obligations and not upon its full faith and credit or pledge of its taxing power, its economic development revenue bonds, in the aggregate principal amount not to exceed One Million Three Hundred Thousand Dollars (\$1,300,000) pursuant to and in accordance with the Maryland Economic Development Revenue Bond Act, Section 14-101 to 14-109, inclusive, of Article 41 of the Annotated Code of Maryland (1986 Replacement Volume, 1987 Supplement), for the purpose of refunding the outstanding Partially Insured MIDFA Loan to the Mayor and City Council of Baltimore for the Benefit of Garamond/Pridemark Press, Inc., in the principal amount of One Million Three Hundred Thousand Dollars (\$1,300,000), dated as of September 10, 1981 and issued on September 10, 1981 which bonds were issued and sold for the purpose of financing the acquisition, construction and improvement of

land and a certain building to be used for commercial printing in Baltimore City; to accept the letter of intent dated March 23, 1988 to the City from Cadmus Communications Corporation (on behalf of its wholly-owned subsidiary Garamond/Pridemark Press, Inc.); making certain legislative findings; reserving in the City certain rights concerning the issuance of such bonds; authorizing and empowering the Board of Finance of the City, by a resolution or resolutions, and the Mayor, by executive order or otherwise, either before or after the issuance, sale and delivery of such bonds, to (a) prescribe among other things but not limited to, the form, terms, provisions, manner or method of issuing and selling (including negotiated as well as competitive bid sale), and the time or times of issuance, and any and all other details of such economic development revenue bonds and (b) do any and all things necessary, proper or expedient in connection with the issuance and sale of such bonds; providing that such bonds must be issued and sold within six months from the date this Resolution is approved by the Mayor, unless the Board of Finance or the Mayor approves one six-month extension as provided in this Resolution and generally providing for and determining various matters and details in connection with the issuance and sale of such bonds.

RECITALS

The Maryland Economic Development Revenue Bond Act, Sections 14-101 to 14-109, inclusive, of Article 41 of the Annotated Code of Maryland (1986 Replacement Volume, 1987 Supplement), (the "Act"), provides that in order to accomplish the legislative policy of the Act, Mayor and City Council of Baltimore (the "City") and any other public body (as defined in the Act) may issue and sell its bonds (as defined in the Act), as its limited obligations and not upon its full faith and credit or pledge of its taxing power, at any time or from time to time, for the purposes of financing or refinancing the costs of the acquisition (as defined in the Act) of one or more facilities (as defined in the Act) for one or more facility users (as defined in the Act) or of refunding outstanding bonds, including the necessary expenses of preparing, printing, selling and issuing those bonds, the funding of reserves and the payment of interest with respect to financing such acquisition in such amounts, or for such period, as the public body deems reasonable. The powers granted to the City by the Act are for the legislative purposes of (i) relieving conditions of unemployment in the State of Maryland (the "State") and in Baltimore City, (ii) encouraging the increase of industry and commerce and a balanced economy in the State and in Baltimore City, (iii) assisting in the retention of existing industry and commerce and in the attraction of new industry and commerce in the State and in Baltimore City, (iv) promoting economic development in the State and in Baltimore

City, and (v) promoting the general health, welfare and safety of the residents of the State and Baltimore City.

On September 10, 1981, the City issued and sold its Mayor and City Council of Baltimore Promissory Note (MIDFA Loan No. 10081), in the aggregate principal amount of One Million Three Hundred Thousand Dollars (\$1,300,000) (the "Series 1981 Bonds") and lent the proceeds thereof to Garamond/Pridemark Press, Inc. (the "Borrower") for the purpose of financing the cost of the acquisition, construction and improvement of a certain facility within the geographical boundaries of Baltimore City (the "Facility").

The Series 1981 Bonds were issued under and pursuant to (a) the Maryland Industrial Development Financing Authority Act, as amended, (b) Ordinance No. 314, approved by the Mayor of the City on June 3, 1981, (c) MIDFA Financing Agreement dated as of September 10, 1981 by and among Union Trust Company of Maryland, the Borrower, the City and certain guarantors and (d) the Loan Agreement dated as of September 10, 1981 by and between the City and the Borrower.

The Facility constitutes and is operated by the Borrower as a one-story commercial printing facility with parking facilities adjacent to the Borrower's building located at 2717 Wilmarco Street, together with (i) necessary or desirable equipment, improvements, fixtures and machinery, (ii) the land site and interest in land necessary or desirable for the Facility, together with roads or other rights of access, utilities and other necessary or desirable facilities, and (iii) all improvements, modifications and additions to all or any portion of the Facility.

The City has received a letter of intent dated March 23, 1988 (the "Letter of Intent") from the Borrower, pursuant to which the Borrower has requested the City to issue and sell its economic development revenue bonds, as its limited obligations and not upon its full faith and credit or pledge of its taxing power, at any time or from time to time and in one or more series, in conjunction with the refunding of two other bonds previously issued by the City for the benefit of the Borrower, in an aggregate principal amount not to exceed One Million Three Hundred Thousand Dollars (\$1,300,000) (the "Bonds"), pursuant to and in accordance with the Act, for the purpose of refunding the outstanding Series 1981 Bonds.

The Letter of Intent expresses the Borrower's intention that the interest payable on the Bonds shall be excludable from gross income for Federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code"). The Borrower acknowledges in the Letter of Intent that the Bonds will not be subject to the City's volume cap, pursuant to Section 146(i) of the Code. The Borrower acknowledges in the Letter of

Intent that the City reserves certain rights concerning the issuance of the Bonds as provided in Section 6 hereof.

The City, based upon the findings and determinations set forth below, has determined to issue, sell and deliver, at any time or from time to time and in one or more series or in conjunction with the refunding of the other obligations previously issued by the City for the benefit of the Borrower, its Bonds in an aggregate principal amount not to exceed One Million Three Hundred Thousand Dollars (\$1,300,000), and to lend the proceeds of the Bonds to the Borrower upon the terms and conditions of one or more loan agreements to be entered into between the City and the Borrower, such proceeds to be used by the Borrower solely and exclusively to refund the Series 1981 Bonds.

The Act provides that the City may authorize and empower the Board of Finance of the City by resolution, or the Mayor, by executive order or otherwise, to determine and set forth the form, terms, provisions, manner, or method of issuing and selling (including negotiated as well as competitive bid sale), and the time or times of issuance, and any and all other details of the Bonds and the issuance and sale thereof, and to do any and all things necessary, proper or expedient in connection with the issuance and sale of the Bonds; now, therefore, in accordance with the Act.

SECTION 1. BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That acting pursuant to the Act it is hereby found and determined as follows:

1.1 The Borrower is a "facility applicant" and a "facility user" within the meaning of the Act; the Facility is a "facility" within the meaning of the Act; the Letter of Intent is a "letter of intent" within the meaning of the Act; and this Resolution is a "resolution" within the meaning of the Act;

1.2 The acquisition of the Facility and the financing thereof has promoted, and the refunding of the Series 1981 Bonds will continue to promote, the declared legislative purposes of the Act by (a) relieving conditions of unemployment in the State and in Baltimore City; (b) encouraging the increase of industry and commerce and a balanced economy in the State and in Baltimore City; (c) assisting in the retention of existing industry and commerce and in the attraction of new industry and commerce in the State and in Baltimore City; (d) promoting economic development; and (e) generally promoting the health, welfare and safety of the residents of the State and Baltimore City.

1.3 The Bonds and the interest thereon will be limited obligations of the City and the principal of, premium, if any, and interest thereon shall be payable solely from the revenues received in connection with the refinancing of the Facility or

any other monies made available to the City for such purposes. Neither the Bonds nor the interest thereon shall every constitute an indebtedness or a charge against the general credit or taxing powers of the City within the meaning of any constitutional or charter provisions or statutory limitation, and neither shall constitute or give rise to pecuniary liability of the City.

1.4 Neither the proceeds of the Bonds nor the payments of the principal of, premium, if any, and interest on the Bonds will be commingled with the City's funds or will be subject to the absolute control of the City, but will be subject only to such limited supervision and checks, and the City shall retain only those rights as are deemed necessary or desirable by the City to ensure that the proceeds of the Bonds are used to accomplish the public purposes of the Act and this Resolution. The transactions provided for hereby do not constitute any physical public betterment or improvement or the acquisition of property for public use or the purchase of equipment for public use. The refinancing of the costs of the acquisition of the facility will achieve the public purposes of the Act.

SEC. 2. AND BE IT FURTHER RESOLVED, That this Resolution, among other things, evidences the present intent of the City to issue, sell and deliver the Refunding Bonds in accordance with the terms and provisions of this Resolution. The Mayor of the City (the "Mayor") is hereby authorized, empowered, and directed to accept the Letter of Intent on behalf of the City in order to further evidence the present intent of the City to issue and sell the Bonds in accordance with the terms and provisions of this Resolution.

SEC. 3. AND BE IT FURTHER RESOLVED, That the City is hereby authorized and empowered to issue, sell and deliver the Bonds, at any time or from time to time and in one or more series, in an aggregate principal amount not to exceed One Million Three Hundred Thousand Dollars (\$1,300,000) subject to the provisions of this Resolution. The Bonds may be issued in conjunction with the issuance of other refunding bonds. For the purposes of applying the foregoing limitation in the event that any refunding bonds or bonds issued to repay bond anticipation notes are issued, the outstanding principal amount of any bonds or bond anticipation notes, respectively, provision for the payment of which have been made from the proceeds of such refunding bonds or such bonds, respectively, or from other sources, shall not be taken into account when determining the aggregate principal amount of bonds issued, sold and delivered pursuant to this Resolution.

SEC. 4. AND BE IT FURTHER RESOLVED, That the Bonds shall mature not later than the final maturity date of the Series 1981 Bonds, which shall not be later than 30 years from the date of issuance of the Bonds.

SEC. 5. AND BE IT FURTHER RESOLVED, That the City will lend the proceeds of the Bonds to the Borrower pursuant to the terms and provisions of a loan agreement (within the meaning of the Act) or a financing agreement (the "Loan Agreement"), to be used by the Borrower for the sole and exclusive purpose of refunding the Series 1981 Bonds. The Loan Agreement will provide that the Borrower will make payments which will be sufficient to enable the City to pay the principal of, premium, if any, and interest on the Bonds when and as the same become due and payable.

SEC. 6. AND BE IT FURTHER RESOLVED, That the City reserves the right, and in its sole and absolute discretion, to take any action deemed necessary by the City in order to ensure that the City (a) complies with present federal and state laws and any pending or future federal or state legislation, whether proposed or enacted, which may affect or restrict the issuance of the Bonds, and (b) issues the Bonds, within the limits imposed by any such laws, or any such pending or future legislation or any future local laws, to finance those facilities which the City determines, in its sole and absolute discretion, will provide the greatest benefit to the City.

In particular, the City reserves the right to choose to issue its bonds (within the meaning of the Act and any present or future state or local laws) in such order of priority as it may determine in its sole and absolute discretion.

Pursuant to the provisions of this Section 6 the City reserves the right in its sole and absolute discretion, to, among other things, (a) never issue the Bonds, (b) issue only a portion of the aggregate principal amount of the Bonds requested by the Borrower, (c) restrict the use of the proceeds of the Bonds, (d) delay indefinitely the issuance of the Bonds, or (e) take any other actions deemed necessary by the City, in its sole and absolute discretion, in order to ensure that the City achieves the goals set forth in the preceding paragraph.

SEC. 7. AND BE IT FURTHER RESOLVED, That the Bonds shall be executed in the name of the City and on its behalf by the Mayor by his manual or facsimile signature, and by the Director of Finance of the City, by his manual or facsimile signature, and the corporate seal of the City or a facsimile thereof shall be impressed or otherwise reproduced thereon and attested by the Custodian of the City Seal by his manual or facsimile signature. The Mayor, the Director of Finance of the City, the Custodian of the City Seal and other officials of the City are hereby authorized and empowered to do all such acts and things to execute, acknowledge, seal and deliver on behalf of the City such documents and certificates, including (without limitation) the Loan Agreement, as the Board of Finance or the Mayor may determine to be necessary or desirable to carry out and comply with the provisions of this Resolution, subject to the limitations set forth in the Act and any limitations set forth in

this Resolution. If any officer whose signature or a facsimile of whose signature appears on the Bonds or any of the aforesaid documents ceases to be such officer before the delivery of the Bonds or any of the other aforesaid documents, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

SEC. 8 AND BE IT FURTHER RESOLVED, That, as permitted by the Act, the Bonds either may be sold at a private (negotiated) sale, at par or at such other prices as the Board of Finance or the Mayor, with the consent of the Borrower, deems appropriate, or may be sold at a public sale, at par, above or below par, with the consent of the Borrower, in either or both of which events, the Bonds shall be sold in such manner, at such times, and upon such terms and conditions as the Board of Finance or the Mayor deems to be in the best interests of the City.

SEC. 9. AND BE IT FURTHER RESOLVED, That prior to the issuance, sale and delivery of the Bonds, the Board of Finance by a resolution or resolutions, or the Mayor by executive order or otherwise;

9.1. shall prescribe the form, tenor, terms and conditions of and security for the bonds;

9.2. shall prescribe the principal amount, rate or rates of interest, denomination or denominations, date, maturity or maturities (within the limits prescribed by the Act and the Code), for the Bonds;

9.3. may appoint a trustee or trustees, a bond register and a paying agent or agents for the Bonds;

9.4. shall approve the form and contents of, and execute and deliver (where applicable), the Loan Agreement, and such documents, including (without limitation) trust agreements, assignments, mortgages, deeds of trust, guarantees and security instruments to which the City is a party and which may be necessary or desirable to effectuate the issuance, sale and delivery of the Bonds;

9.5. may prepare and distribute, in conjunction with representatives of the Borrower and the prospective purchasers of or underwriters or placement agents for, the Bonds, both a preliminary and a final official statement, an offering circular or other similar documents in connection with the sale of the Bonds, if determined to be necessary or desirable in connection with the sale of the Bonds, provided, however, that any such offering circular or such preliminary official statement shall be clearly marked to indicate that it is subject to completion and amendment;

9.6. may execute and deliver a contract or contracts for the placement, purchase and sale of the Bonds (or any portion thereof) in form and content satisfactory to the Board of Finance or the Mayor;

9.7. shall determine the time of execution, issuance, sale and delivery of the Bonds, and prescribe any and all other details of the Bonds;

9.8. shall determine the method, and approve the terms, of the sale of the Bonds, as provided in Section 8 of this Resolution;

9.9. shall provide for the direct payment by the Borrower of all costs, fees and expenses incurred by or on behalf of the City in connection with the issuance, sale and delivery of the Bonds, including (without limitation) costs of printing (if any) and issuing the Bonds, legal expenses (including the fees of bond counsel) and the compensation to any person (other than full-time employees of the City) performing services by or on behalf of the City in connection therewith;

9.10. may provide for the issuance and sale (subject to the passage at the time of an appropriate resolution authorizing the same) of one or more series of additional bonds and one or more series of refunding bonds;

9.11. may provide for the funding of reserves for the Bonds and for the payment of interest on the Bonds in such amounts, or for such period, as the Board of Finance or the Mayor deems reasonable; and

9.12. may specify, prescribe, determine, provide for or approve such other matters, details, forms, documents or procedures and do any and all things necessary or appropriate for the authorization, sale, security, issuance, delivery or payment of or for the Bonds and in order to accomplish the legislative policy of the Act and the public purposes of this Resolution, subject to the limitations set forth in the Act and any limitations prescribed by this Resolution.

SEC. 10. AND BE IT FURTHER RESOLVED, That the Board of Finance is hereby authorized and empowered to adopt one or more resolutions from time to time, either before or after the issuance, sale and delivery of the Bonds, to supplement the resolution or resolutions referred to in the provisions of Section 9 hereof, and the Mayor is hereby authorized and empowered, by executive order or otherwise, either before or after the issuance, sale and delivery of the Bonds, to supplement the executive order referred to in the provisions of Section 9 hereof, and thereby approve amendments or supplements to or substitutes for the forms and provisions of Bonds, the Loan Agreement, any trust agreement or similar agreement and all other documents approved by such resolution or resolutions or executive order or executive orders, provided that each supplemental resolution or supplemental executive order and each such amendment, supplement or substitute shall be in accordance with the provisions of the Act, this Resolution and the documents executed in connection with the Bonds and then in effect.

SEC. 11. AND BE IT FURTHER RESOLVED, That the provisions of this Resolution are severable, and if any provisions, sentence, clause, section or part hereof is held to be illegal, invalid or

unconstitutional or inapplicable to any person or circumstances, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Resolution or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Resolution would have been passed if such illegal, invalid or unconstitutional provisions, sentence, clause, section or part had not been included herein, and if the person or circumstances to which this Resolution or any part hereof is inapplicable had been specifically exempted herefrom.

SEC. 12. AND BE IT FURTHER RESOLVED, That either the Bonds or any bond anticipation notes must be issued and sold and within six (6) months from the date on which this Resolution is approved by the Mayor, provided, however, that (a) the Mayor, by executive order or otherwise, after a showing of good cause, prior to or after the expiration of such six-month period, or (b) the Board of Finance, after showing of good cause at a public hearing held before the Board of Finance prior to or after the expiration of such six-month period, may extend the period during which either the Bonds or any notes in anticipation thereof may be issued and sold for one additional term not exceeding six (6) months from the date on which the first six-month period expires. The Board of Finance or Mayor shall have sole and absolute discretion without action by the City Council of the City to determine the sufficiency or lack of sufficiency of any reason, if any is given, for the requested extension for the first six month period. If an extension is granted, notice of such extension and the reasons therefore must be sent to the City Council. To the extent that neither the Bonds nor such bond anticipation notes are issued and sold within twelve (12) months from the date on which this Resolution is approved by the Mayor, the authority provided in this Resolution for the City to issue and sell the Bonds and any bond anticipation notes shall expire; provided, however, that the expiration of the authority to issue the Bonds, as contained in this Resolution, shall not affect the present intent of the City to issue the Bonds, as described in Section 2 hereof.

SEC. 13. AND BE IT FURTHER RESOLVED, That this Resolution shall take effect from the date of its enactment.

May 10, 1988

Kurt L. Schmoke, Mayor

RESOLUTION NO. 6

(Council No. 175)

A RESOLUTION concerning

ECONOMIC DEVELOPMENT REVENUE BONDS -
(GARAMOND/PRIDEMARK PRESS, INC. FACILITY)

FOR the purpose of authorizing and empowering the Mayor and City Council of Baltimore to issue and sell, from any time or from time to time, and in one or more series, as limited obligations and not upon its full faith and credit or pledge of its taxing power, its economic development revenue bonds, in the aggregate principal amount not to exceed Nine Hundred Twenty-Five Thousand Dollars (\$925,000) pursuant to and in accordance with the Maryland Economic Development Revenue Bond Act, Section 14-101 to 14-109, inclusive, of Article 41 of the Annotated Code of Maryland (1986 Replacement Volume, 1987 Supplement), for the purpose of refunding the outstanding Mayor and City Council of Baltimore Industrial Development Revenue Bond (Hutton, Brown, Silvers & Associates Project), 1980 Series, in the principal amount of Nine Hundred Twenty-Five Thousand Dollars (\$925,000), dated as of November 1, 1980 and issued on December 10, 1980, which bonds were issued and sold for the purpose of financing the acquisition of certain equipment to be used for commercial printing in Baltimore City; to accept the letter of intent dated March 23, 1988 to the City from Cadmus Communications Corporation (on behalf of its wholly-owned subsidiary Garamond/Pridemark Press, Inc.); making certain legislative findings; reserving in the City certain rights concerning the issuance of such bonds; authorizing and empowering the Board of Finance of the City, by a resolution or resolutions, and the Mayor, by executive order or otherwise, either before or after the issuance, sale and delivery of such bonds, to (a) prescribe among other things but not limited to, the form, terms, provisions, manner or method of issuing and selling (including negotiated as well as competitive bid sale), and the time or times of issuance, and any and all other details of such economic development revenue bonds and (b) do any and all things necessary, proper or expedient in connection with the issuance and sale of such bonds; providing that such bonds must be issued and sold within six months from the date this Resolution is approved by the Mayor, unless the Board of Finance or the Mayor approves one six-month extension as provided in this Resolution and generally providing for and determining various matters and details in connection with the issuance and sale of such bonds.

RECITALS

The Maryland Economic Development Revenue Bond Act, Sections 14-101 to 14-109, inclusive, of Article 41 of the Annotated Code of Maryland (1986 Replacement Volume, 1987 Supplement), (the "Act"), provides that in order to accomplish the legislative policy of the Act, Mayor and City Council of Baltimore (the "City") and any other public body (as defined in the Act) may issue and sell its bonds (as defined in the Act), as its limited obligations and not upon its full faith and credit or pledge of its taxing power, at any time or from time to time, for the purpose of financing or refinancing the costs of the acquisition (as defined in the Act) of one or more facilities (as defined in the Act) for one or more facility users (as defined in the Act) or of refunding outstanding bonds, including the necessary expenses of preparing, printing, selling and issuing those bonds, the funding of reserves and the payment of interest with respect to financing such acquisition in such amounts, or for such period, as the public body deems reasonable. The powers granted to the City by the Act are for the legislative purposes of (i) relieving conditions of unemployment in the State of Maryland (the "State") and in Baltimore City, (ii) encouraging the increase of industry and commerce and a balanced economy in the State and in Baltimore City, (iii) assisting in the retention of existing industry and commerce and in the attraction of new industry and commerce in the State and in Baltimore City, (iv) promoting economic development in the State and in Baltimore City, and (v) promoting the general health, welfare and safety of the residents of the State and Baltimore City.

On December 10, 1980, the City issued and sold its Mayor and City Council of Baltimore Industrial Development Revenue Bond (Hutton, Brown, Silvers & Associates Project) 1980 Series, in the aggregate principal amount of Nine Hundred Twenty-Five Thousand (\$925,000) (the "Series 1980 Bonds") and lent the proceeds thereof to Hutton, Brown, Silvers & Associates for the purpose of financing the cost of the acquisition of a certain facility within the geographical boundaries of Baltimore City (the "Facility"). On February 29, 1988, Garamond/Pridemark Press, Inc. (the "Borrower") assumed the obligations of Hutton, Brown, Silvers & Associates under the Series 1980 Bonds.

The Series 1980 Bonds were issued under and pursuant to (a) Subsection (50) of Article II of the Charter of Baltimore City (1964) Revision, as amended), (b) Ordinance No. 157, approved by the Mayor of the City on October 2, 1980, (c) the Resolution adopted by the Board of Finance of the City on October 27, 1980 and (d) a Loan Agreement dated as of November 1, 1980 by and between the City and Hutton, Brown, Silvers & Associates (the "Loan Agreement") and (e) an Assignment and Security Agreement dated as of November 1, 1980 by and between the City and Union Trust Company of Maryland, a Maryland banking corporation.

The Facility constitutes certain printing equipment, including an offset press and a paper folder and is operated by the Borrower together with all ancillary standard equipment and operating consoles and all improvements, modifications and additions to all or any portion of the Facility.

The City has received a letter of intent dated March 23, 1988 (the "Letter of Intent") from the Borrower, pursuant to which the Borrower has requested the City to issue and sell its economic development revenue bonds, as its limited obligations and not upon its full faith and credit or pledge of its taxing power, at any time or from time to time and in one or more series, in conjunction with the refunding of two other bonds previously issued by the City for the benefit of the Borrower, in an aggregate principal amount not to exceed Nine Hundred Twenty-Five Thousand Dollars (\$925,000) (the "Bonds"), pursuant to and in accordance with the Act, for the purpose of refunding the outstanding Series 1980 Bonds.

The Letter of Intent expresses the Borrower's intention that the interest payable on the Bonds shall be excludable from gross income for Federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code"). The Borrower acknowledges in the Letter of Intent that the Bonds will not be subject to the City's volume cap, pursuant to Section 146 (i) of the Code. The Borrower acknowledges in the Letter of Intent that the City reserves certain rights concerning the issuance of the Bonds as provided in Section 6 hereof.

The City, based upon the findings and determinations set forth below, has determined to issue, sell and deliver, at any time or from time to time and in one or more series or in conjunction with the refunding of the other obligations previously issued by the City for the benefit of the Borrower, its Bonds in an aggregate principal amount not to exceed Nine Hundred Twenty-Five Thousand Dollars (\$925,000), and to lend the proceeds of the Bonds to the Borrower upon the terms and conditions of one or more loan agreements to be entered into between the City and the Borrower, such proceeds to be used by the Borrower solely and exclusively to refund the Series 1980 Bonds.

The Act provides that the City may authorize and empower the Board of Finance of the City by resolution, or the Mayor, by executive order or otherwise, to determine and set forth the form, terms, provisions, manner, or method of issuing and selling (including negotiated as well as competitive bid sale), and the time or times of issuance, and any and all other details of the Bonds and the issuance and sale thereof, and to do any and all things necessary, proper or expedient in connection with the issuance and sale of the Bonds; now, therefore, in accordance with the Act.

SECTION 1. BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That acting pursuant to the Act it is hereby found and determined as follows:

1.1 The Borrower is a "facility applicant" and a "facility user" within the meaning of the Act; the Facility is a "facility" within the meaning of the Act; the Letter of Intent is a "letter of intent" within the meaning of the Act; and this Resolution is a "resolution" within the meaning of the Act;

1.2 The acquisition of the Facility and the financing thereof has promoted, and the refunding of the Series 1980 Bonds will continue to promote, the declared legislative purposes of the Act by (a) relieving conditions of unemployment in the State and in Baltimore City; (b) encouraging the increase of industry and commerce and a balanced economy in the State and in Baltimore City; (c) assisting in the retention of existing industry and commerce and in the attraction of new industry and commerce in the State and in Baltimore City; (d) promoting economic development; and (e) generally promoting the health, welfare and safety of the residents of the State and Baltimore City.

1.3 The Bonds and the interest thereon will be limited obligations of the City and the principal of, premium, if any, and interest thereon shall be payable solely from the revenues received in connection with the refinancing of the Facility or any other monies made available to the City for such purposes. Neither the Bonds nor the interest thereon shall every constitute an indebtedness or a charge against the general credit or taxing powers of the City within the meaning of any constitutional or charter provisions or statutory limitation, and neither shall constitute or give rise to pecuniary liability of the City.

1.4 Neither the proceeds of the Bonds nor the payments of the principal of, premium, if any, and interest on the Bonds will be commingled with the City's funds or will be subject to the absolute control of the City, but will be subject only to such limited supervision and checks, and the City shall retain only those rights as are deemed necessary or desirable by the City to ensure that the proceeds of the Bonds are used to accomplish the public purposes of the Act and this Resolution. The transactions provided for hereby do not constitute any physical public betterment or improvement or the acquisition of property for public use or the purchase of equipment for public use. The refinancing of the costs of the acquisition of the facility will achieve the public purposes of the Act.

SEC. 2. AND BE IT FURTHER RESOLVED, That this Resolution, among other things, evidences the present intent of the City to issue, sell and deliver the Bonds in accordance with the terms and provisions of this Resolution. The Mayor of the City (the "Mayor") is hereby authorized, empowered, and directed to accept the Letter of Intent on behalf of the City in order to further

evidence the present intent of the City to issue and sell the Bonds in accordance with the terms and provisions of this Resolution.

SEC. 3. AND BE IT FURTHER RESOLVED, That the City is hereby authorized and empowered to issue, sell and deliver the Bonds, at any time or from time to time and in one or more series, in an aggregate principal amount not to exceed Nine Hundred Twenty-Five Thousand Dollars (\$925,000) subject to the provisions of this Resolution. The Bonds may be issued in conjunction with the issuance of other refunding bonds. For the purposes of applying the foregoing limitation in the event that any refunding bonds or bonds issued to repay bond anticipation notes are issued, the outstanding principal amount of any bonds or bond anticipation notes, respectively, provision for the payment of which have been made from the proceeds of such refunding bonds or such bonds, respectively, or from other sources, shall not be taken into account when determining the aggregate principal amount of bonds issued, sold and delivered pursuant to this Resolution.

SEC. 4. AND BE IT FURTHER RESOLVED, That the Bonds shall mature not later than the final maturity date of the Series 1980 Bonds, which shall not be later than 30 years from the date of issuance of the Bonds.

SEC. 5. AND BE IT FURTHER RESOLVED, That the City will lend the proceeds of the Bonds to the Borrower pursuant to the terms and provisions of a loan agreement (within the meaning of the Act) or a financing agreement (the "Loan Agreement"), to be used by the Borrower for the sole and exclusive purpose of refunding the Series 1980 Bonds. The Loan Agreement will provide that the Borrower will make payments which will be sufficient to enable the City to pay the principal of, premium, if any, and interest on the Bonds when and as the same become due and payable.

SEC. 6. AND BE IT FURTHER RESOLVED, That the City reserves the right, and in its sole and absolute discretion, to take any action deemed necessary by the City in order to ensure that the City (a) complies with present federal and state laws and any pending or future federal or state legislation, whether proposed or enacted, which may affect or restrict the issuance of the Bonds, and (b) issues the Bonds, within the limits imposed by any such laws, or any such pending or future legislation or any future locals laws, to finance those facilities which the City determines, in its sole and absolute discretion, will provide the greatest benefit to the City.

In particular, the City reserves the right to choose to issue its bonds (within the meaning of the Act and any present or future state or local laws) in such order of priority as it may determine in its sole and absolute discretion.

Pursuant to the provisions of this Section 6 the City reserves the right in its sole and absolute discretion, to, among other things, (a) never issue the Bonds, (b) issue only a portion of the aggregate principal amount of the Bonds requested by the Borrower, (c) restrict the use of the proceeds of the Bonds, (d) delay indefinitely the issuance of the Bonds, or (e) take any other actions deemed necessary by the City, in its sole and absolute discretion, in order to ensure that the City achieves the goals set forth in the preceding paragraph.

SEC. 7. AND BE IT FURTHER RESOLVED, That the Bonds shall be executed in the name of the City and on its behalf by the Mayor by his manual or facsimile signature, and by the Director of Finance of the City, by his manual or facsimile signature, and the corporate seal of the City or a facsimile thereof shall be impressed or otherwise reproduced thereon and attested by the Custodian of the City Seal by his manual or facsimile signature. The Mayor, the Director of Finance of the City, the Custodian of the City Seal and other officials of the City are hereby authorized and empowered to do all such acts and things to execute, acknowledge, enseat and deliver on behalf of the City such documents and certificates, including (without limitation) the Loan Agreement, as the Board of Finance or the Mayor may determine to be necessary or desirable to carry out and comply with the provisions of this Resolution, subject to the limitations set forth in the Act and any limitations set forth in this Resolution. If any officer whose signature or a facsimile of whose signature appears on the Bonds or any of the aforesaid documents ceases to be such officer before the delivery of the Bonds or any of the other aforesaid documents, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

SEC. 8. AND BE IT FURTHER RESOLVED, That, as permitted by the Act, the Bonds either may be sold at a private (negotiated) sale, at par or at such other prices as the Board of Finance or the Mayor, with the consent of the Borrower, deems appropriate, or may be sold at a public sale, at par, above or below par, with the consent of the Borrower, in either or both of which events, the Bonds shall be sold in such manner, at such times, and upon such terms and conditions as the Board of Finance or the Mayor deems to be in the best interests of the City.

SEC. 9. AND BE IT FURTHER RESOLVED, That prior to the issuance, sale and delivery of the Bonds, the Board of Finance by a resolution or resolutions, or the Mayor by executive order or otherwise:

9.1. shall prescribe the form, tenor, terms and conditions of and security for the bonds;

9.2. shall prescribe the principal amount, rate or rates of interest, denomination or denominations, date, maturity

or maturities (within the limits prescribed by the Act and the Code), for the Bonds;

9.3. may appoint a trustee or trustees, a bond register and a paying agent or agents for the Bonds;

9.4. shall approve the form and contents of, and execute and deliver (where applicable), the Loan Agreement, and such documents, including (without limitation) trust agreements, assignments, mortgages, deeds of trust, guarantees and security instruments to which the City is a party and which may be necessary or desirable to effectuate the issuance, sale and delivery of the Bonds;

9.5. may prepare and distribute, in conjunction with representatives of the Borrower and the prospective purchasers of or underwriters or placement agents for, the Bonds, both a preliminary and a final official statement, an offering circular or other similar documents in connection with the sale of the Bonds, if determined to be necessary or desirable in connection with the sale of the Bonds, provided, however, that any such offering circular or such preliminary official statement shall be clearly marked to indicate that it is subject to completion and amendment;

9.6. may execute and deliver a contract or contracts for the placement, purchase and sale of the Bonds (or any portion thereof) in form and content satisfactory to the Board of Finance or the Mayor;

9.7. shall determine the time of execution, issuance, sale and delivery of the Bonds, and prescribe any and all other details of the Bonds;

9.8. shall determine the method, and approve the terms, of the sale of the Bonds, as provided in Section 8 of this Resolution;

9.9. shall provide for the direct payment by the Borrower of all costs, fees and expenses incurred by or on behalf of the City in connection with the issuance, sale and delivery of the Bonds, including (without limitation) costs of printing (if any) and issuing the Bonds, legal expenses (including the fees of bond counsel) and the compensation to any person (other than full-time employees of the City) performing services by or on behalf of the City in connection therewith;

9.10. may provide for the issuance and sale (subject to the passage at the time of an appropriate resolution authorizing the same) of one or more series of additional bonds and one or more series of refunding bonds;

9.11. may provide for the funding of reserves for the Bonds and for the payment of interest on the Bonds in such amounts, or for such period, as the Board of Finance or the Mayor deems reasonable; and

9.12. may specify, prescribe, determine, provide for or approve such other matters, details, forms, documents or procedures and do any and all things necessary or appropriate for the authorization, sale, security, issuance, delivery or payment of or for the Bonds and in order to accomplish the legislative policy of the Act and the public purposes of this Resolution,

subject to the limitations set forth in the Act and any limitations prescribed by this Resolution.

SEC. 10. AND BE IT FURTHER RESOLVED, That the Board of Finance is hereby authorized and empowered to adopt one or more resolutions from time to time, either before or after the issuance, sale and delivery of the Bonds, to supplement the resolution or resolutions referred to in the provisions of Section 9 hereof, and the Mayor is hereby authorized and empowered, by executive order or otherwise, either before or after the issuance, sale and delivery of the Bonds, to supplement the executive order referred to in the provisions of Section 9 hereof, and thereby approve amendments or supplements to or substitutes for the forms and provisions of Bonds, the Loan Agreement, any trust agreement or similar agreement and all other documents approved by such resolution or resolutions or executive order or executive orders, provided that each supplemental resolution or supplemental executive order and each such amendment, supplement or substitute shall be in accordance with the provisions of the Act, this Resolution and the documents executed in connection with the Bonds and then in effect.

SEC. 11. AND BE IT FURTHER RESOLVED, That the provisions of this Resolution are severable, and if any provisions, sentence, clause, section or part hereof is held to be illegal, invalid or unconstitutional or inapplicable to any person or circumstances, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Resolution or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Resolution would have been passed if such illegal, invalid or unconstitutional provisions, sentence, clause, section or part had not been included herein, and if the person or circumstances to which this Resolution or any part hereof is inapplicable had been specifically exempted herefrom.

SEC. 12. AND BE IT FURTHER RESOLVED, That either the Bonds or any bond anticipation notes must be issued and sold and within six (6) months from the date on which this Resolution is approved by the Mayor, provided, however, that (a) the Mayor, by executive order or otherwise, after a showing of good cause, prior to or after the expiration of such six-month period, or (b) the Board of Finance, after showing of good cause at a public hearing held before the Board of Finance prior to or after the expiration of such six-month period, may extend the period during which either the Bonds or any notes in anticipation thereof may be issued and sold for one additional term not exceeding six (6) months from the date on which the first six-month period expires. The Board of Finance or Mayor shall have sole and absolute discretion without action by the City Council of the City to determine the sufficiency or lack of sufficiency of any reason, if any is given, for the requested extension for the first six month

period. If an extension is granted, notice of such extension and the reasons therefore must be sent to the City Council. To the extent that neither the Bonds nor such bond anticipation notes are issued and sold within twelve (12) months from the date on which this Resolution is approved by the Mayor, the authority provided in this Resolution for the City to issue and sell the Bonds and any bond anticipation notes shall expire; provided, however, that the expiration of the authority to issue the Bonds, as contained in this Resolution, shall not affect the present intent of the City to issue the Bonds, as described in Section 2 hereof.

SEC. 13. AND BE IT FURTHER RESOLVED, That this Resolution shall take effect from the date of its enactment.

May 10, 1988

Kurt L. Schmoke, Mayor

RESOLUTION NO. 7

(Council No. 283)

A RESOLUTION concerning

ECONOMIC DEVELOPMENT REVENUE BONDS
(THE PULASKI II LIMITED PARTNERSHIP PROJECT)

FOR the purpose of amending Resolution No. 72 of the 1985 Legislative Session of the Mayor and City Council of Baltimore for the purpose of authorizing and empowering the Mayor and City Council of Baltimore (the "City") to issue, sell and deliver, at any time or from time to time and in one or more series, as limited obligations of the City and not upon its full faith and credit, its economic development revenue bonds in the aggregate principal amount not to exceed \$11,000,000, of which \$6,000,000 of economic development revenue bonds have been issued pursuant to 266A to 266I, inclusive, of Article 41 of the Annotated Code of Maryland (1982 Replacement Volume and 1985 Cumulative Supplement), as amended, and of which \$5,000,000 (the "Supplemental Issue") shall be issued pursuant to Sections 14-101 through 14-109, inclusive, of Article 41 of the Annotated Code of Maryland (1986 Replacement Volume), as amended, for the sole and exclusive purpose of financing the costs, charges, fees and expenses in connection with one or more of the following: the acquisition by The Pulaski II Limited Partnership, a Maryland limited partnership (the "Borrower") of (i) an addition to the existing incinerator number 4 located at 6709 Pulaski Highway of a fifth furnace and related equipment having a rated capability of approximately 200-300 tons of solid waste disposal per day,

(ii) such other machinery and equipment and any or all other improvements therein, as may be necessary or useful in connection with the operation of a solid waste disposal business, (iii) such interests in land as may be necessary or suitable for the foregoing, including roads and rights of access, utilities and other necessary site preparation facilities and (if necessary) the funding of reserves and payment of interest on such bonds, said facility to be owned by the Borrower and to be operated by The Pulaski Company Limited Partnership, a Maryland limited partnership; making certain legislative findings, authorizing the loan of the proceeds of the Supplemental Issue to the Borrower, authorizing and empowering the Board of Finance of the City, by Resolution, or the Mayor of the City, by Executive Order, prior to the issuance, sale and delivery of such Supplemental Issue of Bonds, to specify, prescribe, determine, provide for or approve certain details, forms, documents or procedures in connection with the bonds issued hereunder and the loan of the proceeds of such bonds to the Borrower and any other matters necessary or desirable in connection with the authorization, issuance, sale and payment of such revenue bonds, including, but not limited to, the form, terms, provisions, manner or method of issuing and selling, and the time or times of issuance and any and all other details of such bonds and to do any and all things necessary, proper or expedient in connection with the issuance and sale of such Supplemental Issue of bonds; authorizing the Mayor of the City to accept the letter of intent from the Borrower with respect to the Supplemental Issue; providing that the authorization for the issuance of bonds hereunder shall be of limited duration and for one six-month extension of such authorization; providing that the issuance of such bonds shall be subject to compliance with all applicable provisions of the Internal Revenue Code of 1986 and that the obligation of the City to issue such Bonds shall be conditioned upon such compliance and that the City may, in its sole discretion, determine the use of any allocation to the City under the Internal Revenue Code of 1986 with respect to such bonds; and generally providing for and determining various matters and details in connection with the authorization, issuance, security, sale and payment of such Bonds.

RECITALS

The Maryland Economic Development Revenue Bond Act, Sections 14-101 through 14-109, inclusive, of Article 41 of the Annotated Code of Maryland (1986 Replacement Volume), formerly Sections 266A through 266I, inclusive, of Article 41 of the Annotated Code of Maryland (the "Act") constitutes those provisions of Maryland law authorizing the issuance of economic development revenue bonds by all the counties and municipalities of the State of Maryland (the "State").

UNIVERSITY OF MARYLAND
AT COLLEGE PARK LIBRARIES

The Act empowers the counties and municipalities of the State to issue revenue bonds, bond anticipation notes, notes in the nature of commercial paper and other instruments, certificates or evidences of obligations and to loan the proceeds of the sale of such obligations to a facility applicant (as defined in the Act) to finance the acquisition (as that term is defined in the Act) by such facility applicant of a facility (as that term is defined in the Act). The Act declares it to be its legislative purpose to relieve conditions of unemployment in the State, to encourage the increase of industry and commerce and to balance economy in the State, to assist in the retention of existing industry and commerce and in the attraction of new industry and commerce in the State through, among other things, port development and control and the control, reduction or abatement of pollution of the environment and the utilization and disposal of waste (where the proceeds of such bonds are used for such purpose), to promote economic development, to protect natural resources and encourage resource recovery and generally, to promote the health, welfare and safety of the residence of each of the counties and municipalities of the State.

The City has received a letter of intent (as contemplated by Section 14-101 of the Act) dated April 7, 1988 (the "Letter of Intent") from The Pulaski II Limited Partnership, a Maryland limited partnership, and a facility applicant (as defined in the Act) hereinafter referred to as the "Borrower" pursuant to which the Borrower has requested the City to participate in the financing of the acquisition (within the meaning of the Act) by the Borrower of a facility (within the definition of the Act) to be located in Baltimore City, Maryland (the "Facility") by the issuance and sale by the City of Baltimore of its Baltimore City, Economic Development Revenue Bonds in the aggregate principal amount not exceeding \$11,000,000 (the "Bonds"). The City has, pursuant to the Act and pursuant to Resolution 72 of the 1985 Legislative Session of the City Council of Baltimore (the "Initial Resolution") issued its Baltimore City, Maryland Economic Development Revenue Bonds (The Pulaski II Limited Partnership Project) in the aggregate principal amount of \$6,000,000 (the "Initial Bonds"). The proceeds of the Initial Bonds have been loaned to the Borrower upon the terms and conditions of a Loan and Financing Agreement dated December 30, 1985. The Borrower has requested, pursuant to the Letter of Intent referred to above, that the City issue and sell its Baltimore City, Maryland Economic Development Revenue Bonds to be designated "The Pulaski II Limited Partnership Facility" in an aggregate principal amount not exceeding \$5,000,000 (the "Second Bonds") pursuant to the Initial Resolution as amended by this Resolution and to loan the proceeds of such Second Bonds to the Borrower upon the terms and conditions of one or more loan or other agreements to be entered into between the City and the Borrower (collectively, the Loan Agreement) as permitted by the Act (such loan be herein referred to as the "Loan"). The Borrower pursuant to the Resolution has indicated its intention

to use its best efforts to utilize the services of minority firms in the acquisition of the Facility.

The Facility will consist generally of the following: (i) the addition to the existing incinerator number 4 located at 6709 Pulaski Highway of the fifth furnace and related equipment having a rated capability approximately 200-300 tons of solid waste disposal per day, (ii) the acquisition and installation of such other machinery and equipment, and any or all other improvements therein, as may be necessary or useful in connection with the operation of a solid waste disposal business, (iii) the acquisition and installation of pollution control equipment at incinerator number 4 in connection with the construction of such fifth furnace, and (iv) the acquisition of such interests in land as may be necessary or suitable for the foregoing, including roads and rights of access, utilities and other necessary site preparation facilities. It is intended that the Borrower will lease or otherwise enter into an operating arrangement with respect to the Facility with The Pulaski Company Limited Partnership, a Maryland limited partnership, a facility user (as defined in the Act) (the "Facility User").

The City has determined to accept the Letter of Intent to amend Resolution No. 72 to provide for the issuance and sale of bonds in an aggregate principal amount not exceeding \$11,000,000, to issue and sell, subject to the terms of this Resolution, \$5,000,000 of its economic development revenue bonds and to lend the proceeds from the sale of such bonds to the Borrower on the terms and conditions to be set forth in the Loan Agreement in order to help finance the acquisition of the Facility by the Borrower.

As security for the Bonds the City will, for each series of the Bonds, enter into either (a) a trust indenture or agreement (the "Trust Agreement") or the corporate trustee (the "Trustee") to be appointed by the Board of Finance of the City (the "Board") or the Mayor of the City (the "Mayor") as provided herein or (b) an assignment and security agreement or loan and financing agreement or other similar agreement (the "Assignment") with the original purchaser of the Bonds (the "Original Purchaser"), and, if appropriate, a trustee or trustees (which may be the Original Purchaser) (collectively, the "Project Fund Trustee"). Pursuant to the Trust Agreement or the Assignment, the City will assign to the Trustee or, if the Assignment is entered into, the Original Purchaser or other applicable party, its successors and assigns, among other things (a) all of the City's right, title and interest in and to and remedies under the Loan Agreement, including (without limitation) all security referred to therein, accepting only the rights of the City to indemnification by the Borrower and to payments to the City for expenses incurred by the City itself and for certain fees payable to the City, (b) the receipts and revenues of the City from the Loan, (c) certain monies which are at any time or from time to

time on deposit with the Trustee or Project Fund Trustee, and (d) all right, title and interest in and to and remedies with respect to any and all other property of every description and nature from time to time by delivery or by writing of any kind conveyed, pledged, assigned or transferred, as and for additional security for the Bonds.

NOW THEREFORE, IN ACCORDANCE WITH THE ACT:

SECTION 1. BE IT RESOLVED BY MAYOR AND CITY COUNCIL OF BALTIMORE, That acting pursuant to the Act, the findings and determinations set forth in Section 1 of the Initial Resolution are hereby ratified and confirmed and that it is hereby further found and determined as follows:

(a) The issuance of an additional \$5,000,000 of economic development revenue bonds pursuant to the Initial Resolution, as amended, by the City pursuant to the Act in order to loan the proceeds thereof to the Borrower for the sole and exclusive purpose of financing the Borrower's acquisition (as that term is used in the Act) of the Facility and to pay the cost of preparing, printing and selling the Bonds, to fund reserves, to pay interest on the Bonds and to pay other costs permitted by the Act, will facilitate and expedite the acquisition of the Facility by the Borrower.

(b) The accomplishment of the transactions contemplated and authorized by this Resolution will (i) sustain jobs and employment opportunities and aid in maintaining employment, thus relieving conditions of unemployment in the State and City; (ii) encourage the increase of industry and commerce and a balanced economy in the State and City through, among other things, the control, reduction, or abatement of pollution of the environment and the utilization or disposal of waste; and (iii) generally promote the health, welfare and safety of the residents of the State and City.

(c) In addition to authorizing the City itself to acquire the Facility and either to lease or to sell such Facility to the Borrower or to otherwise accomplish the financing of the acquisition, the Act also authorizes the financing of the Facility to be accomplished in the form of a loan to the Borrower and the acquisition of the Facility by the Borrower with the loan proceeds. The loan form of transaction avoids indirect costs and burdens on the City by not requiring any direct involvement by the City in the construction, ownership or administration of the Facility; it permits, however, controls to be imposed on the user of the proceeds of the sale of the Bonds to ensure that the public purposes of the Act and the Bonds are fully accomplished. It is, therefore, in the best interests of the citizens of the City to finance the acquisition of the Facility by loan of the Bond and proceeds to the Borrower and the acquisition of the Facility by the Borrower with the loan proceeds.

(d) Neither the Bonds nor the interest thereon shall ever constitute a pledge of, or involve the faith and credit or the taxing power of, the City, and neither shall constitute a debt of the City within the meaning of Section 7 of Article XI of the Constitution of Maryland or any other constitutional, statutory or charter provision limiting or restricting the sale or issuance of bonds, notes or other obligations of the City, and neither shall ever constitute or give rise to any pecuniary liability of the City. The Bonds and interest thereon shall be limited obligations of the City and shall be fully negotiable, repayable by the City solely from the revenue derived from Loan repayments (both principal and interest) made to the City by the Borrower on account of the Loan, and from any other monies made available to the City for such purposes. The loan form of transaction authorized hereunder shall in no event constitute a capital project within the meaning of any charter or statutory provision. The public purposes expressed in the Act are to be achieved by facilitating the acquisition and installation of the Facility by the Borrower and the use of the Facility by the Facility User.

SEC. 2. AND BE IT FURTHER RESOLVED, That the first paragraph of the recitals of the Initial Resolution appearing on page 2, lines 19 through 24, is hereby amended to read as follows:

"The Maryland Economic Development Revenue Bond Act, Sections 266A through 266I, inclusive, of Article 41 of the Annotated Code of Maryland (1982 Replacement Volume and 1985 Cumulative Supplement) AND THEREAFTER AMENDED AND REENACTED AS SECTIONS 14-101 THROUGH 14-109, INCLUSIVE, OF ARTICLE 41 OF THE ANNOTATED CODE OF MARYLAND (1986 REPLACEMENT VOLUME) (the "Act") constitutes those provisions of Maryland law authorizing the issuance of industrial development revenue bonds by all the counties and municipalities of the State of Maryland (the "State")."

SEC. 3. AND BE IT FURTHER RESOLVED, That the third grammatical paragraph of the Recitals of the Initial Resolution, appearing on page 2, line 41 through page 3, line 9 of the Initial Resolution is hereby amended to read as follows:

"The City has received a letter of intent (as contemplated by Section 266A(h) of the Act) dated November 7, 1985 (the "Letter of Intent"), from The Pulaski II Limited Partnership, a Maryland limited partnership, and a facility applicant (as defined in the Act) (hereinafter referred to as the "Borrower") pursuant to which the Borrower has requested the City to participate in the financing of the acquisition (within the meaning of the Act) by the Borrower of a facility (within the definition of the Act) to be

located in Baltimore City, Maryland (the "Facility") by the issuance and sale by the City of its Baltimore City, Maryland Economic Development Revenue Bonds (The Pulaski II Limited Partnership Project) [(the "Bonds")] in an aggregate principal amount not exceeding \$6,000,000 (THE "INITIAL BONDS") and by loaning the proceeds of the INITIAL Bonds to the Borrower upon the terms and conditions of one or more loan or other agreements to be entered into between the City and the Borrower (collectively the "INITIAL Loan Agreement"), as permitted by the Act (such loan being hereinafter referred to as the "INITIAL Loan"). THE CITY HAS RECEIVED A SUPPLEMENTAL LETTER OF INTENT (AS CONTEMPLATED BY THE ACT) DATED APRIL 7, 1988 (THE "SECOND LETTER OF INTENT") FROM THE BORROWER PURSUANT TO WHICH THE BORROWER HAS REQUESTED THE CITY TO PARTICIPATE IN FINANCING THE ACQUISITION (WITHIN THE MEANING OF THE ACT) BY THE BORROWER OF THE FACILITY BY THE ISSUANCE AND SALE BY THE CITY OF ITS BALTIMORE CITY, MARYLAND ECONOMIC DEVELOPMENT REVENUE BONDS (THE PULASKI II LIMITED PARTNERSHIP FACILITY) IN AN AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING \$5,000,000 (THE "SUPPLEMENTAL BONDS") AND BY LOANING THE PROCEEDS OF THE SUPPLEMENTAL BONDS TO THE BORROWER UPON THE TERMS AND CONDITIONS OF ONE OR MORE AGREEMENTS TO BE ENTERED INTO BETWEEN THE CITY AND THE BORROWER (COLLECTIVELY THE "SUPPLEMENTAL LOAN AGREEMENT"), AS PERMITTED BY THE ACT (SUCH LOAN BEING HEREIN REFERRED TO AS THE "SUPPLEMENTAL LOAN"). FOR PURPOSES OF THIS RESOLUTION, THE INITIAL LOAN AGREEMENT TOGETHER WITH THE SUPPLEMENTAL LOAN AGREEMENT ARE HEREINAFTER REFERRED TO AS THE "LOAN AGREEMENT" AND THE INITIAL LOAN COLLECTIVELY WITH THE SUPPLEMENTAL LOAN ARE HEREINAFTER REFERRED TO AS THE LOAN, AND THE INITIAL BONDS COLLECTIVELY WITH THE SUPPLEMENTAL BONDS ARE HEREINAFTER REFERRED TO AS THE BONDS. The Borrower has indicated its intention to use its best efforts to utilize the services of minority firms in the acquisition of the Facility."

SEC. 4. AND BE IT FURTHER RESOLVED, that Section 2 of the Initial Resolution is hereby amended to read as follows:

"Sec. 2. AND BE IT FURTHER RESOLVED, That the City is hereby authorized and empowered to issue, sell and deliver, at any time or from time to time and in one or more series, as limited obligations of the City and not upon its full faith and credit, its Baltimore City, Maryland Economic Development Revenue Bonds (The Pulaski II Limited Partnership Project) OR ITS BALTIMORE CITY, MARYLAND ECONOMIC DEVELOPMENT REVENUE BONDS (THE PULASKI II LIMITED PARTNERSHIP FACILITY) OR SUCH OTHER DESIGNATION AS MAY BE APPROVED BY THE BOARD

OF FINANCE OR THE MAYOR IN ACCORDANCE WITH THE TERMS OF THIS RESOLUTION, in the aggregate principal amount not to exceed [\$6,000,000,] \$11,000,000, subject to the provisions of this Resolution, AS AMENDED."

SEC. 5. AND BE IT FURTHER RESOLVED, That Section 4 of the Initial Resolution is hereby amended to read as follows:

"Sec. 4. AND BE IT FURTHER RESOLVED, That the definitive Bonds AND ANY OTHER BONDS ISSUED PURSUANT TO THIS RESOLUTION, which may be engraved, printed or typewritten, including the Trustee's certificate of authentication, if any, to be endorsed thereon, shall be in such form, not inconsistent with the Act and the provisions of this Resolution, AS AMENDED, as the Board or the Mayor may approve."

SEC. 6. AND BE IT FURTHER RESOLVED, That Section 6 of the Initial Resolution is hereby amended to read as follows:

"Sec. 6. AND BE IT FURTHER RESOLVED, That the Bonds shall be executed, issued and delivered at any time or from time to time and in one or more series and in such amount or amounts not exceeding, in the aggregate, the principal amount of [\$6,000,000] \$11,000,000 as the Board or the Mayor shall prescribe."

Sec. 7. AND BE IT FURTHER RESOLVED, That the Initial Resolution is hereby amended to add the following Sections 20 and 21:

SEC. 20. AND BE IT FURTHER RESOLVED, PRIOR TO THE ISSUANCE SALE AND DELIVERY OF THE SUPPLEMENTAL BONDS, THE BOARD SHALL ADOPT A RESOLUTION OR THE MAYOR SHALL ISSUE AN EXECUTIVE ORDER PURSUANT TO WHICH THE BOARD AND THE MAYOR ARE HEREBY AUTHORIZED TO SPECIFY, DETERMINE, PROVIDE FOR OR APPROVE, ALL OR ANY OF THE MATTERS, DETAILS, FORMS, DOCUMENTS OR PROCEDURES IN CONNECTION WITH THE SUPPLEMENTAL LOAN AND THE SUPPLEMENTAL BONDS AS THE BOARD IS AUTHORIZED TO DETERMINE WITH RESPECT TO THE BONDS PURSUANT TO SEC. 8 HEREOF, IT BEING INTENDED THAT THE BOARD AND THE MAYOR MAY MAKE DETERMINATIONS OF SUCH MATTERS PURSUANT TO ONE OR MORE ACTIONS, AS ONE OR MORE SERIES OF BONDS ARE ISSUED PURSUANT TO THIS RESOLUTION.

SEC. 21. AND BE IT FURTHER RESOLVED, THAT NEITHER THE SUPPLEMENTAL BONDS NOR THE INTEREST THEREON SHALL CONSTITUTE A PLEDGE OF, OR INVOLVE THE FAITH OR CREDIT OR THE TAXING POWER OF, THE CITY AND NEITHER SHALL EVER CONSTITUTE A DEBT OF THE CITY WITHIN THE MEANING OF

SEC. 7 OF ARTICLE XI OF THE CONSTITUTION OF MARYLAND OR ANY OTHER CONSTITUTIONAL, STATUTORY, OR CHARTER PROVISION LIMITING OR RESTRICTING THE SALE OR ISSUANCE OF THE BONDS, NOTES OR OTHER OBLIGATIONS OF THE CITY AND NEITHER SHALL EVER CONSTITUTE OR GIVE RISE TO ANY PECUNIARY LIABILITY OF THE CITY. THE SUPPLEMENTAL BONDS AND THE INTEREST THEREON, SHALL BE LIMITED OBLIGATIONS OF THE CITY, THE PRINCIPAL OF AND INTEREST ON WHICH SUPPLEMENTAL BONDS SHALL BE PAYABLE BY THE CITY SOLELY FROM THE REVENUE DERIVED FROM LOAN REPAYMENTS (BOTH PRINCIPAL AND INTEREST) MADE TO THE CITY BY THE BORROWER ON ACCOUNT AND TO THE EXTENT PROVIDED BY THE BOARD OR THE MAYOR, FROM THE PROCEEDS OF THE SUPPLEMENTAL BONDS AND FROM ANY OTHER MONEYS MADE AVAILABLE TO THE CITY FOR SUCH PURPOSE.

SEC. 8. AND BE IT FURTHER RESOLVED, That this Resolution constitutes the present intent of the City to issue the Supplemental Bonds and the Mayor is hereby authorized to accept the Second Letter of Intent on behalf of the City in order to further evidence the commitment of the City to issue the Supplemental Bonds for the benefit of the Borrower.

SEC. 9. AND BE IT FURTHER RESOLVED, That the City reserves the right, in its sole and absolute discretion, to take any actions deemed necessary by the City in order to ensure that the City (a) complies with federal and state laws in effect at the time of issuance of the Supplemental Bonds which may restrict the issuance of bonds, and (b) issues the Supplemental Bonds within the limits imposed by any such laws, to finance those facilities which the City determines, in its sole and absolute discretion, will provide the greatest benefit to the City.

In particular, since the City is limited by volume limitations in its ability to issue tax-exempt revenue bonds, the City reserves the right to choose to issue such tax-exempt revenue bonds (within the meaning of the Act and any present or future State or local laws) other than the Facility, in such order or priority as it may determine in its sole and absolute discretion. Pursuant to the provisions of this Section 8, the City reserves the right in its sole and absolute discretion to among other things, (i) never issue the Supplemental Bonds, (ii) issue only a portion in the aggregate principal amount of the Supplemental Bonds requested by the facility applicant, (iii) restrict the use of the proceeds of the Supplemental Bonds, (iv) delay indefinitely the issue of the Supplemental Bonds or (v) take any other actions deemed necessary by the City in its sole and absolute discretion, in order to insure that the City achieves the goals set forth in the preceding paragraphs.

SEC. 10. AND BE IT FURTHER RESOLVED, That each member of the City Council votes in favor of, or against the adoption of this Resolution, and that the Mayor, by his approval or veto of

this Resolution, hereby certifies under penalty of perjury, that the allocation granted to the Borrower by the City Council has not been made in consideration of any gift, gratuity, bribe or direct or indirect contribution to any political campaign.

SEC. 11. AND BE IT FURTHER RESOLVED, That this Resolution is intended to be, and shall constitute, evidence of the intent of the City to issue and deliver the Supplemental Bonds authorized in accordance with the terms hereof, provided however, that if no Supplemental Bonds have been issued pursuant to this Resolution within six months after the effective date of this Resolution or prior to December 31, 1988, whichever first occurs, the authority of the City to issue the Supplemental Bonds granted hereunder shall end; provided, however, that the Board may, after a showing of good cause at a public hearing held before the Board, extend such authorization for one additional term not to exceed six months. The Board, in its sole discretion, shall determine the sufficiency, or lack thereof, of the reasons presented for any requested extension of this Resolution. If an extension is granted, notice of such extension and the reasons therefor must be sent to the City Council.

SEC. 12. AND BE IT FURTHER RESOLVED, That except as set forth herein except to the extent inconsistent hereby and except to the extent that any capitalized terms have been redefined in the amendments made hereto, the terms and provisions of this Initial Resolution remain in full force and effect.

SEC. 13. AND BE IT FURTHER RESOLVED, That the provisions of this Resolution are severable, and if any provision, sentence, clause, section or part hereof is held illegal, invalid or unconstitutional or inapplicable to any person or circumstances, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Resolution or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Resolution would have been passed if such illegal, invalid or unconstitutional provision, sentence, clause, section or part had not been included herein, and if the person or circumstances to which this Resolution or any part hereof are inapplicable had been specifically exempted herefrom.

SEC. 14. AND BE IT FURTHER RESOLVED, That this Resolution shall take effect from the date of approval by the Mayor.

July 5, 1988

Kurt L. Schmoke, Mayor

ORDINANCE NO. 8

(Council No. 298)

A RESOLUTION concerning

APPROVAL OF INDUSTRIAL DEVELOPMENT AUTHORITY LOANS

FOR the purpose of approving facilities to receive loans from the Industrial Development Authority of the Mayor and City Council of Baltimore.

WHEREAS, Resolution 92 of the Mayor and City Council, approved August 26, 1986, provided that the Industrial Development Authority of the Mayor and City Council of Baltimore shall finance or refinance such facilities that have been approved in a resolution of the City Council; and

WHEREAS, The City Council wishes to approve the financing or refinancing of various facilities in addition to those approved by prior resolutions; now, therefore

SECTION 1. BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, That loans from the Industrial Development Authority of the Mayor and City Council of Baltimore to the Mayor and City Council of Baltimore, in connection with the financing or refinancing of all or any of the facilities set forth in Section 2 and Section 3, are hereby approved. The foregoing approval shall constitute approval for the use of the proceeds of any such loan to finance or refinance the construction, renovation, purchase or other acquisition of any such facility and to pay related costs, including (without limitation) the expenses of issuing the loan, the funding of any reserves in connection with the loan, payment of interest on the loan and the payment of principal or interest on previous indebtedness issued with respect to such facility, all to the fullest extent and within the limits prescribed by applicable law.

SEC. 2. AND BE IT FURTHER RESOLVED, That the projects to be funded are:

Bayview Garage - \$6,000,000	
Conservatory at Druid Hill Park -	\$ 6,000,000
East Baltimore Soccer Facility -	\$ 6,800,000
Johns Hopkins Hospital Garage -	\$12,000,000
Lady Maryland -	\$ 350,000
Maritime Museum -	\$ 800,000
 Paca Street Garage -	 \$ 6,000,000
Sinai Hospital Parking Facilities -	\$ 1,500,000

SEC. 3. AND BE IT FURTHER RESOLVED, That any project or program approved for funding by the Mayor and City Council in the annual Ordinance of Estimates for any year, or in any supplemental appropriation ordinance, are also hereby approved for funding through the Industrial Development Authority.

SEC. 4. AND BE IT FURTHER RESOLVED, That this resolution shall take effect on the date of its enactment.

July 7, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 9

(Council No. 319)

A RESOLUTION concerning

EMPLOYEES' RETIREMENT SYSTEM

FOR the purpose of requesting the Board of Trustees of the Employees' Retirement System to restrict the use of the net unallocated interest surplus in the Employees' Retirement System Trust Fund until a certain benefits study is completed.

WHEREAS, City Council Bill No. 81, in its amended form, will increase pension benefits for members of the Fire and Police Retirement System; and

WHEREAS, There is a study under consideration that is seeking to provide comparative benefits for members of the Employees' Retirement System; and

WHEREAS, If it is determined that similar benefits may be available to members of the Employees' Retirement System, the change in benefits may be funded in part by the Net Unallocated Interest Surplus in the Employees' Retirement System Trust; and

WHEREAS, According to the report of the Board of Trustees of the Employees' Retirement System the amount in the Net Unallocated Interest Surplus in the Employees' Retirement System Trust Fund is \$19,633,535; and

WHEREAS, The funds in the Net Unallocated Interest Surplus should remain available until the study on comparative benefits is completed; now, therefore, be it

RESOLVED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Board of Trustees of the Employees' Retirement System is requested to retain as much of the funds in the Net Unallocated Interest Surplus in the Employees' Retirement System Trust Fund as permitted by law until the comparative benefits study is completed.

July 19, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 10

(Council No. 351)

A RESOLUTION concerning

THE SALE AND LEASEBACK OF THE SOUTHWEST
RESOURCE RECOVERY FACILITY

FOR the purpose of approving Amendments to the Subdivision User Contract and the Site Lease in connection with a sale and leaseback transaction involving BRESKO and Ford Motor Credit Company and authorizing execution and delivery of such documents by the Mayor.

RECITALS

The Mayor and City Council of Baltimore (the "City") has entered into a Subdivision User Contract dated as of November 3, 1982, as amended (the "Contract") with Northeast Maryland Waste Disposal Authority (the "Authority") which provides for the disposal of solid waste at the Southwest Resource Recovery Facility located at 1801 Annapolis Road in Baltimore City (The "Facility"). At the time the Contract was executed, it was contemplated that the owner of the Facility, Baltimore Refuse Energy System Company, Limited Partnership ("BRESKO") might enter into certain leveraged lease transactions. BRESKO has proposed entering into a sale and leaseback transaction pursuant to which ownership of the Facility would be conveyed to The Connecticut Bank and Trust Company, National Association, as trustee for Ford Motor Credit Company (the "Owner Trustee") and the Facility would be leased to BRESKO, with BRESKO retaining responsibility for the operation of the Facility. In connection therewith, the Authority and BRESKO propose to amend the Disposal Agreement dated as of November 3, 1982, as amended, between them (the "Disposal Agreement") to provide, among other things, that (i) certain computations relating to the tipping fees payable by or on behalf of the Authority to BRESKO under the Disposal Agreement for the disposal of solid waste at the Facility shall be determined without regard to the sale and leaseback transaction and (ii) a rebate shall be payable to the Authority by BRESKO annually with respect to the tipping fees paid by or on behalf of

the Authority under the Disposal Agreement. The Authority and the City propose entering into a Second Amendment to Subdivision User Contract (the "Amendment"), the form of which is attached hereto, to maintain the existing correspondence between relevant provisions of the Contract and the Disposal Agreement as proposed to be amended, including, among other things, to provide that: (i) certain computations relating to the tipping fees payable by the City to the Authority under the Contract for the disposal of solid waste at the Facility shall be determined without regard to the sale and leaseback transaction and (ii) a rebate shall be payable to the City by the Authority annually with respect to the tipping fees paid by the City under the Contract.

The City as landlord, leased to the Authority, as tenant, the real property on which the Facility is located (the "Facility Site") pursuant to a Site Lease dated as of November 3, 1982 (the "Site Lease"). The Authority has assigned all its right, title and interest in, to and under the Site Lease (other than certain reserved rights) to BRESCO. In connection with the sale and leaseback transaction referred to above, BRESCO proposes to sublease the Facility Site to the Owner Trustee, pursuant to a Site Sublease Agreement (the "Site Sublease"). As a condition to its entering into the Site Sublease, the Owner Trustee has requested that the City enter into an amendment to the Site Lease, the form of which is attached hereto (the "Site Lease Amendment").

The City Council on December 18, 1981 approved Ordinance No. 566 which approved certain contract documents pertaining to the Facility, including the Contract and the Site Lease. The City Council further authorized the Mayor, on behalf of the City, to execute and deliver the Contract and the Site Lease with such changes in form or such changes in content which do not materially adversely affect the substance of the transactions contemplated thereby. The Amendment and Site Lease Amendment require that the City Council authorize the Mayor, on behalf of the City, to execute and deliver these documents; now, therefore

SECTION 1. BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the terms of the Amendment and the Site Lease Amendment are hereby approved in the form attached hereto. The Mayor is hereby authorized to execute and deliver the Amendment and the Site Lease Amendment with such changes as shall be approved by the Mayor that do not materially adversely affect the substance of the transactions contemplated by the forms of Amendment and Site Lease Amendment. The execution and delivery of the Amendment and Site Lease Amendment by the Mayor shall constitute conclusive evidence of the approval by the Mayor of changes to the Amendment and Site Lease Amendment from the forms attached hereto.

SEC. 2. BE IT FURTHER RESOLVED, That this Resolution shall take effect on the date of its enactment.

September 28, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 11

(Council No. 317)

A RESOLUTION concerning

ECONOMIC DEVELOPMENT REVENUE BONDS -
THE AMERICAN NATIONAL RED CROSS PROJECT

FOR the purpose of authorizing Mayor and City Council of Baltimore (the "City"), pursuant to and in accordance with the Maryland Economic Development Revenue Bond Act (Annotated Code of Maryland, Article 41 § Section 101 through § Section 14-109) to issue, sell and deliver, as limited obligations and not upon the faith and credit of the City, its economic development revenue bonds in an aggregate principal amount not to exceed \$6,000,000, and to lend the proceeds from the sale of such bonds to the Central Maryland Chapter/Chesapeake Blood Services Region, a duly authorized local unit of The American National Red Cross, a corporation duly organized by an Act of Congress of the United States of America (36 U.S.C. § Section 1 et seq.) to be used for the purpose of financing the costs of the acquisition of a certain facility, within the meaning of such Act, constituting 8.2 acres of real property located at 4700 Mount Hope Drive in the Seton Business Park in the City of Baltimore, Maryland, to be used as a blood services laboratory and chapter headquarters for Red Cross activities; authorizing the acceptance of a letter of intent as evidence of the present intent of the City to issue such revenue bonds; making certain legislative findings, among others, concerning the public benefit and purpose of such revenue bonds; providing that the principal amount of such revenue bonds and the interest thereon shall be payable solely from the revenues to be received in connection with the financing of such facilities and from any other moneys made available to the City for such purpose as provided in this Resolution and shall never constitute an indebtedness or a charge against the full faith and credit or taxing powers of the City within the meaning of any constitutional or charter provision or statutory limitation and shall never constitute or give rise to any pecuniary liability of the City; authorizing the private, negotiated sale of such revenue bonds; authorizing the Mayor or the President of the City Council, by executive order or otherwise, to specify,

prescribe, determine, provide for, approve, execute and deliver any and all matters, details, forms, documents or procedures necessary or appropriate to effectuate the authorizations, sale, security, issuance, delivery and payment of and for such bonds and the lending of the proceeds thereof.

RECITALS

Sections 14-102 through 14-109 (formerly Section 266A through 266-I), inclusive of Article 41 (1986 Replacement Volume and 1987 Cumulative Supplement) of the Annotated Code of Maryland, as amended, being the Maryland Economic Development Revenue Bond Act (the "Act") empowers any public body (as defined in the Act) to issue and sell bonds (as defined in the Act), as its limited obligations and not upon its full faith and credit or pledge of its taxing power, and to lend the proceeds of the sale of such bonds to one or more facility users (as defined in the Act), to finance or refinance any costs of the acquisition (as defined in the Act) of a facility or facilities (as defined in the Act) for use by one or more facility users.

The Act states the declared legislative purpose of the General Assembly of Maryland to (1) relieve conditions of unemployment in the State of Maryland (the "State"); (2) encourage the increase of industry and commerce and a balanced economy in the State; (3) assist in the retention of existing industry and commerce and in the attraction of new industry and commerce in the State through, among other things, port development and the control, reduction or abatement of pollution of the environment and the utilization and disposal of wastes; (4) promote economic development; (5) protect natural resources and encourage resource recovery; and (6) generally promote the health, welfare and safety of the residents of each of the counties and municipalities of the State.

The City has received a letter dated June 17, 1988 (the "Letter of Intent") from the Central Maryland Chapter/Chesapeake Blood Services Region, a duly authorized local unit of The American National Red Cross, a non-profit corporation duly organized by Act of Congress of the United States of America (36 U.S.C. † Section 1 et seq.), a facility applicant and a facility user as defined in the Act (the "Facility Applicant"), requesting the City to issue and sell its bonds pursuant to the Act and to lend the proceeds of the sale thereof to the Facility Applicant for the purpose of financing the costs of the acquisition of a certain facility within the City of Baltimore, Maryland, as hereinafter described (the "Facility").

The facility which the Facility Applicant has requested to be so financed will consist generally of approximately 8.2 acres of real property located at 4700 Mount Hope Drive in the

Seton Business Park in Baltimore City, the construction of a new building of approximately 102,000 square feet thereon to be known as the "Red Cross Building", and the purchase and installation of certain furnishings, machinery and equipment therein, to be owned and used by the Facility Applicant as a blood services laboratory and chapter headquarters building for Red Cross activities.

The City has determined to authorize the issuance of its revenue bonds pursuant to the Act to finance the Facility upon the terms and conditions of this Resolution.

SECTION 1. BE IT RESOLVED BY MAYOR AND CITY COUNCIL OF BALTIMORE, That, acting pursuant to the Act, it is hereby found and determined as follows:

(a) The City, based on the finding and determinations hereinafter set forth, intends to issue and sell its bonds (within the meaning of the Act), in an aggregate principal amount not to exceed Six Million Dollars (\$6,000,000) and to lend the proceeds of the Bonds (the "Loan") to the Facility Applicant on the terms and conditions as hereinafter provided in order to finance, in whole or in part, the costs of the "acquisition", within the meaning of the Act, by the Facility Applicant of the Facility, to encourage economic development and to protect the health, welfare and safety of the citizens of the State and of the City.

(b) As evidenced by the Letter of Intent, the Facility Applicant constitutes a "facility applicant" and a "facility user" within the meaning of the Act, and the Facility constitutes a "facility" within the meaning of the Act.

(c) The accomplishment of the transactions contemplated and authorized by this Resolution, including (without limitation) the acquisition of the Facility by the Facility Applicant and the financing thereof, will promote the declared legislative purposes of the Act by (i) creating and sustaining jobs and employment, thereby relieving conditions of unemployment in the State and the City; (ii) encourage the increase of industry and commerce and a balanced economy in the State and in the City; (iii) assisting in the retention of existing industry and commerce in the State and in the City; (iv) promoting economic development; and (v) generally promoting the health, welfare and safety of the residents of the City and of the State.

(d) The principal of and premium, if any, and interest on the Bonds shall never constitute an indebtedness or a charge against the full faith and credit or taxing powers of the City within the meaning of any constitutional or charter provision or statutory limitation and shall never constitute or give rise to any pecuniary liability of the City. The Bonds shall be limited obligations of the City, the principal of and premium, if any,

and interest on which shall be payable solely from and secured solely by a pledge of (i) the revenues from or arising in connection with the Facility, (ii) the revenues from or arising in connections with any contracts, mortgages or other securities purchased or otherwise acquired with the proceeds of the Bonds, (iii) the contracts, mortgages or other securities purchased or otherwise acquired with the proceeds of the Bonds, or (iv) any combination of (i), (ii) or (iii) above, and any other moneys made available to the City for such purpose, all as more particularly prescribed by the Mayor by an executive order or orders issued prior to the issuance, sale and delivery of the Bonds in accordance with the further provisions of this Resolution.

(e) Neither the proceeds of the Bonds nor the payments on account of principal and interest on the Bonds, will be commingled with the City's funds or will be subject to the absolute control of the City, but will be subject only to such limited supervision and checks as are deemed necessary or desirable by the City to insure that the proceeds of the Bonds are used to accomplish the public purposes of the act and this Resolution.

SEC. 2. AND BE IT FURTHER RESOLVED, That the Mayor is hereby authorized to accept, on behalf of the City, the Letter of Intent, dated June 17, 1988, to evidence the City's intent to issue the Bonds as provided in this Resolution.

The City and the Facility Applicant contemplate that the Facility Applicant may proceed with the acquisition of the Facility prior to the issuance, sale and delivery of the Bonds.

SEC. 3. AND BE IT FURTHER RESOLVED, That the City is hereby authorized to issue, sell and deliver the Bonds in an aggregate principal amount not to exceed Six Million Dollars (\$6,000,000), subject to the provisions of the Act and this Resolution. The proceeds of the Bonds will be loaned to the Facility Applicant, as permitted by the Act pursuant to the terms and provisions of a financing agreement to be entered into between the City and the Facility Applicant (the "Financing Agreement"), to be used by the Facility Applicant for the sole and exclusive purpose of financing the costs of the acquisition of the Facility, within the meaning of the Act, including the necessary expenses of preparing, printing, selling, and issuing the Bonds, the funding of reserves and the payment of interest with respect to financing such acquisition in such amounts, or for such period, as the Mayor shall deem reasonable. The Bonds and the interest thereon shall be limited obligations of the City, repayable by the City solely from the revenue derived from Loan repayments (principal and interest) made to the City by the Facility Applicant and from any other moneys made available to the City for such purpose.

SEC. 4. AND BE IT FURTHER RESOLVED, That each of the Bonds shall be executed in the name of the City and on its behalf by the manual or facsimile signature of the Mayor and Director of Finance or Acting Director of Finance. The seal of the City or a facsimile thereof shall be affixed to each of the Bonds, and attested by the manual or facsimile signature of the Custodian or Alternate Custodian of the City Seal. If deemed appropriate by the Mayor, each of the Bonds may also be authenticated by the manual or facsimile signature of a trustee, registrar or paying agent. At least one of such signatures on each Bond shall be a manual signature. If any officer of the City whose manual or facsimile signature appears on the Bonds ceases to be such officer before delivery of the Bonds, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery of the Bonds.

SEC. 5. AND BE IT FURTHER RESOLVED, That in connection with the transactions described herein, the Mayor (and, if authorized by the Mayor, the President of City Council) is hereby authorized and empowered, by executive order or otherwise, to specify, prescribe, determine, provide for, approve, execute and deliver any and all matters, details, forms, documents or procedures necessary or appropriate to effectuate the authorization, sale, security, issuance, delivery and payment of and for the Bonds and the lending of the proceeds thereof, including, without limitation:

(a) to determine the principal amount of the bonds, the rate or rates of interest thereon, the date or dates of maturity thereof, the payment provisions therefor, the prepayment and redemption provisions thereof, the designation of the Bonds and the date of issuance thereof;

(b) to appoint a bond registrar and paying agent or agents for the Bonds;

(c) to approve the form and contents of, and provisions for the execution and delivery of, the Financing Agreement and such other financing documents as the Mayor shall deem necessary or desirable to evidence, secure or effectuate the Loan and the issuance, sale and delivery of the bonds, including, without limitation, notes, security agreements, financing agreements and guarantees;

(d) to provide for the direct payment by the Facility Applicant of all costs, fees and expenses incurred by or on behalf of the City in connection with the issuance, sale and delivery of the Bonds, including, without limitation, costs of printing (if any) and issuing the bonds, legal expenses (including the fees of bond counsel) and compensation to any person (other than full-time employees of the City) performing services by or on behalf of the City in connection therewith; and

(e) to approve such other matters in connection with the authorization, issuance, execution, sale, delivery and payment of the Bonds and the security for the Bonds and the Loan and the consummation of the transactions contemplated by this Resolution as may be deemed appropriate and approved by the Mayor, including, without limitation, establishing procedures for the execution, acknowledgement, sealing and delivery of such other and further agreements, documents and instruments, and the authorization of the officials of the City to take any and all actions, as are or may be necessary or appropriate to consummate the transactions contemplated by this Resolution in accordance with the Act and this Resolution.

Each executive order issued pursuant to this Resolution shall be deemed to be of an administrative nature and shall be effective upon the effective date specified therein.

SEC. 6. AND BE IT FURTHER RESOLVED, That, as permitted by the Act, the Bonds shall be sold at private (negotiated) sale and at par, unless the Mayor deems it to be in the best interests of the City to sell the Bonds at public sale at above or below par, in which event the Bonds shall be sold in such manner, at such price or prices and upon such terms as the Mayor deems to be in the best interests of the City. The Bonds shall be sold at such times and on such dates as the Mayor may determine. The Bonds shall be sold to one or more persons, firms or corporations (including banks or other financial institutions) as determined by the Mayor with the consent of the Facility Applicant.

SEC. 7. AND BE IT FURTHER RESOLVED, That the Facility Applicant shall agree that:

(a) it will submit any plans and specifications for the Facility to the Department of Housing and Community Development for approval, with the understanding that the Department of Housing and Community Development may consider, without limitation: the economic feasibility of any construction and the suitability of any site plan, architectural treatment, building plans, elevations, materials, color, construction details, access, parking, loading, landscaping, identifications signs, exterior lighting, refuse collection details, streets, sidewalks and harmony between the plans and the surroundings of the Facility and that the Department of Housing and Community Development may refuse approval of any such plans and specifications for aesthetic or functional reasons; and

(b) the Facility Applicant and its developers will work with the design advisory group appointed by the Department of Housing and Community Development in order to achieve high quality site, building and landscape design.

(c) by its acceptance of the benefits hereunder, the Facility Applicant will:

(1) Comply with first source employment requirements established by the Board of Estimates as applicable to projects financed by obligations issued by the City;

(2) Comply with applicable minority business enterprise requirements established by the Board of Estimates as applicable to projects financed by obligations issued by the City; and

(3) Not commence construction of the Facility until an agreement incorporating the above requirements has been entered into with the City.

SEC. 8. AND BE IT FURTHER RESOLVED, That the members of the City Council, the Mayor, and any other appropriate administrative officer, for and on behalf of the City, are hereby authorized and empowered to do all things, execute all instruments, and otherwise take all such action as the Mayor may determine by executive order or otherwise to be necessary, proper or expedient to carry out the authority conferred by this Resolution.

SEC. 9. AND BE IT FURTHER RESOLVED, That if no Bonds are issued and sold within the earlier of (i) six months from the effective date of this Resolution, or (ii) December 31, 1988, the authorization provided in this Resolution for the City to issue and sell the Bonds shall expire; provided, however, that the Board of Finance, after a showing of good cause at a public hearing held before the Board of Finance, may extend such authorization for one additional term not to exceed six months. The Board of Finance, in its sole discretion, shall determine the sufficiency, or lack thereof, of the reasons presented for any requested extension of this Resolution. If an extension is granted, notice of such extension and the reasons therefor shall be sent to the City Council.

SEC. 10. AND BE IT FURTHER RESOLVED, That, the provisions of this Resolution are severable, and if any provision, sentence, clause, section or part thereof shall be held to be illegal, invalid or unconstitutional or inapplicable to any person, entity or circumstances, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Resolution or their application to other persons, entities or circumstances. It is hereby declared to be the legislative intent that this Resolution would have been adopted if such illegal, invalid or unconstitutional provision, sentence, clause, section or part had not been included therein, and if the person, entity or circumstances to which this Resolution or any part thereof is inapplicable had been specifically exempted therefrom; provided, however, that neither the principal of or premium, if any, nor the interest on the Bonds shall ever constitute an indebtedness

of the City or a charge against the general credit or taxing powers of the City within the meaning of any constitutional or charter provision or statutory limitation or shall ever constitute or give rise to any pecuniary liability of the City.

SEC. 11. AND BE IT FURTHER RESOLVED, That this Resolution shall take effect from the date of its enactment.

September 23, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 12

(Council No. 346)

A Resolution concerning

THE ISSUANCE AND SALE BY THE MARYLAND INDUSTRIAL DEVELOPMENT FINANCING AUTHORITY ("MIDFA") OF ITS LIMITED OBLIGATION ECONOMIC DEVELOPMENT REVENUE BONDS FOR THE PURPOSE OF REFUNDING THE PROMISSORY NOTE DATED JULY 9, 1983 EXECUTED IN CONNECTION WITH THE \$7,500,000 PARTIALLY INSURED MIDFA LOAN FROM AMERICAN SECURITY BANK, NATIONAL ASSOCIATION TO MAYOR AND CITY COUNCIL OF BALTIMORE FOR THE BENEFIT OF ENELCO LIMITED PARTNERSHIP AND ENVIRONMENTAL ELEMENTS CORPORATION.

FOR the purpose of approving the issuance and sale by the Maryland Industrial Development Financing Authority, pursuant to the Maryland Economic Development Revenue Bond Act and the Maryland Industrial Development Financing Authority Act, of one or more series of its limited obligation economic development revenue bonds in an aggregate principal amount not to exceed \$6,100,000, for the benefit of Enelco Limited Partnership as Enelco Limited Partnership will be restructured, pursuant to an Agreement of Sale dated March 10, 1988, and renamed 1700 Ridgely Limited Partnership, a Maryland limited partnership, in order to refund the outstanding principal balance of the Promissory Note dated July 9, 1983 in connection with the \$7,500,000 Partially Insured MIDFA Loan from American Security Bank, National Association to Mayor and City Council of Baltimore for the benefit of Enelco Limited Partnership and Environmental Elements Corporation, including the payment of all accrued and unpaid interest and redemption premiums (if any) thereon, which Promissory Note was issued and sold for the purpose of financing the cost of the acquisition by Enelco Limited Partnership of a certain facility (as defined in such Acts) located at 1700 Ridgely Street in Baltimore City, Maryland, a portion of which Facility shall be leased by 1700 Ridgely Limited Partnership to Environmental Elements Corporation for use in its

business of manufacturing pollution control devices and a portion of which Facility shall be leased to Ridgely Enterprises, Inc. for subleasing to various tenants for various uses to be determined; specifying and describing such Facility; generally describing the public purpose to be served by such Facility; and specifying and describing various matters in connection therewith.

RECITALS

The Maryland Industrial Development Financing Authority Act, as amended (the "MIDFA Act"), provides that in order to accomplish the purposes of the MIDFA Act, the Maryland Industrial Development Financing Authority (the "Authority"), on behalf of the State of Maryland (the "State"), may issue and sell bonds as provided in and in accordance with the Maryland Economic Development Revenue Bond Act (the "Revenue Bond Act"). The MIDFA Act and the Revenue Bond Act are herein sometimes collectively referred to as the "Acts". The MIDFA Act further provides that the Authority may (a) accomplish the acquisition of one or more facilities from the proceeds of the sale of its bonds by one or more of the methods described in the Revenue Bond Act and (b) from its bond insurance fund, provide financial assistance by, among other things, (i) insuring the payment or repayment of all or any part of the principal of, redemption or prepayment premiums or penalties on, and interest on, bonds (as defined in the Acts).

The Revenue Bond Act provides that to implement the authority conferred upon it by the Revenue Bond Act to issue bonds, the Authority may adopt a resolution pursuant to which it shall (a) specify and describe the facility or facilities; (b) generally describe the public purpose to be served and the financing or refinancing transaction to be accomplished under the Revenue Bond Act; (c) specify the maximum principal amount of the bonds that may be issued; and (d) impose any terms or conditions on the issuance and sale of the bonds it deems appropriate. On July 28, 1988, the Authority adopted a resolution specifying and describing the Facility (hereinafter defined), describing the public purpose to be served and the financing transaction to be accomplished, specifying the maximum principal amount of bonds to be issued, and imposing certain other terms and conditions (the "Authority's Resolution"). The Authority's Resolution is intended to be a "resolution" within the meaning of the Revenue Bond Act.

The Revenue Bond Act further provides that the Authority by resolution may itself specify and prescribe, or may authorize (among others) its chief executive officer, by executive order or otherwise, to specify, prescribe, determine, provide for or approve such matters, details, forms, documents, or procedures as the Authority deems appropriate to the authorization, sale, security, issuance, delivery, or payment of or for the bonds,

including, without limitation, creation of security for the bonds and provisions for the administration of bond issues such as trust or other agreements with banks or trust companies regarding any countersignature or delivery of bonds or security for bonds.

Section 13-138(e) of the MIDFA Act provides that prior to the issuance and sale of bonds by the Authority, the legislative body of the county or municipality in which the facility to be financed with the proceeds of the bonds is to be located shall adopt a resolution which shall (a) be administrative in nature, not subject to the procedures required for legislative acts and not subject to referendum, (b) specify and describe the facility, and (c) generally describe the public purpose to be served by the facility. Enelco Limited Partnership, as Enelco Limited Partnership will be restructured and renamed 1700 Ridgely Limited Partnership, a Maryland limited partnership (the "Applicant"), has requested Mayor and City Council of Baltimore, a body politic and corporate and a political subdivision of the State of Maryland and a county and a public body within the meaning of the Acts (the "City"), to approve the issuance by the Authority of its bonds for the purpose of refunding the outstanding principal balance of the Promissory Note dated July 9, 1983 (the "Note") executed in connection with the \$7,500,000 Partially Insured MIDFA Loan from American Security Bank, National Association to Mayor and City Council of Baltimore for the benefit of Enelco Limited Partnership and Environmental Elements Corporation, including the payment of all accrued and unpaid interest and redemption premiums (if any) thereon, and refinancing the costs of acquisition of a certain facility located within the geographical boundaries and jurisdiction of the City and more particularly described in this Resolution (the "Facility").

The City has determined, based upon the findings and determinations hereinafter set forth, that it is in the best interests of the citizens of the City that the City approve the refunding of the Note, including the payment of all accrued and unpaid interest and redemption premiums (if any) thereon, and the refinancing of the costs of the acquisition of the Facility by the Authority by approving the issuance and sale, pursuant to the Acts, of one or more series of the Authority's limited obligation economic development revenue bonds in an aggregate principal amount not to exceed \$6,100,000.

NOW, THEREFORE, PURSUANT TO AND IN ACCORDANCE WITH THE ACTS:

SECTION 1. BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF

BALTIMORE, That all words and terms used in this Resolution (including the Recitals set forth above) that are defined or used in the Acts shall have the meaning indicated in the Acts, unless the context clearly requires a contrary meaning.

SEC. 2. AND BE IT FURTHER RESOLVED. That, in accordance with Section 13-138(e)(2) of the MIDFA Act, the Authority intends to issue and sell its limited obligation economic development revenue bonds in an aggregate principal amount not to exceed \$6,100,000 for the purpose of refunding the outstanding principal balance of the Note, including the payment of all accrued and unpaid interest and redemption premiums (if any) thereon, and thereby refinancing the costs of acquisition of the Facility, which Facility consists of and includes:

(a) a parcel of land containing approximately 17.2 acres located at 1700 Ridgely Street in Baltimore City, Maryland, and any and all improvements existing thereon, including, without limitation, (1) a one and part two-story brick, metal clad and steel and wood frame office and steel-fabricating building containing approximately 53,604 square feet, (2) a one-story steel-fabricating building containing approximately 50,058 square feet, (3) a one-story and part mezzanine office and steel-fabricating building containing approximately 41,210 square feet, (4) a one-story steel fabricating building containing approximately 48,320 square feet, and (5) a one-story steel-fabricating building containing approximately 110,158 square feet; and

(b) such other interests in land as are necessary or suitable for the foregoing, including roads and rights of access and utilities.

The Applicant shall lease a portion of the Facility to Environmental Elements Corporation, a Maryland corporation, for use in its business of manufacturing pollution control devices and shall lease a portion of the Facility to Ridgely Enterprises, Inc., a Maryland corporation, for subleasing to various tenants for various uses to be determined.

SEC. 3. AND BE IT FURTHER RESOLVED, That it is hereby found and determined that the refunding of the Note and the refinancing of the costs of acquisition of the Facility and the financial assistance to be provided by the Authority as described in this Resolution, will fulfill, accomplish and promote the declared public purposes of the Acts, which are to (a) relieve conditions of unemployment in the State and in Baltimore City; (b) encourage the increase of industry and commerce and a balanced economy in the State and in Baltimore City; (c) assist in the retention of existing industry and commerce and in the attraction of new industry and commerce in the State and in Baltimore City, through, among other things, port development and the control, reduction, or abatement of pollution of the environment and the utilization and disposal of wastes; (d) promote economic development in the State and in Baltimore City; and (e) generally promote the health, welfare, and safety of the residents of each of the counties and municipalities of the State. Specifically, it is hereby found and determined that the refunding of the Note and the refinancing of the costs of

acquisition of the Facility will enhance the viability of the Facility, rendering the operation of the Facility feasible without continued financial assistance in the form of insurance from the Authority and will enable the Applicant to incur additional costs of expansion of the Facility to increase the availability of industrial space for use by other businesses which may be encouraged to locate in Baltimore City and in the State. Accordingly, it is in the interest of the public welfare and purpose of the citizens of the State and of the City that the City approve the refunding of the Note and the refinancing of the costs of the acquisition of the Facility by the Authority.

SEC. 4. AND BE IT FURTHER RESOLVED, That the City hereby approves the issuance and sale by the Authority of one or more series of its limited obligation economic development revenue bonds in an aggregate principal amount not to exceed \$6,100,000 (the "Bonds"), the proceeds of any series of which may be used by the Authority to make a loan to the Applicant, the proceeds of which loan shall be used by the Applicant to refinance the costs of the acquisition of the Facility by refunding the Note, including the payment of all accrued and unpaid interest and redemption premiums (if any) thereon.

SEC. 5. AND BE IT FURTHER RESOLVED, That (a) except for the Authority's insurance of the Bonds (if necessary), the Bonds and the interest thereon will be limited obligations of the Authority, payable solely from revenues or moneys to be received by the Authority in connection with the refunding of the Note and the refinancing of the costs of acquisition of the Facility or from any other funds provided therefor, (b) the Bonds will not constitute an indebtedness to which the faith and credit of the State, the Department of Economic and Employment Development of the State (the "Department"), the Authority, the City or any other public body is pledged, and (c) neither the Bonds nor the interest thereon shall ever constitute an indebtedness or a charge against the general credit or taxing powers of the State, the Department, the Authority, the City, or any other public body and neither shall ever constitute or give rise to an pecuniary liability of the State, the Department, the Authority, the City or any other public body.

SEC. 6. AND BE IT FURTHER RESOLVED, That the Bonds shall be authorized, issued, sold and delivered without direct or indirect cost to the City, and to that end, the Applicant shall pay all necessary expenses of preparing, printing, selling and issuing the Bonds and all other costs contemplated and permitted by the Acts, including (without limitation) any and all costs, fees and expenses (including, without limitation, any attorneys' fees) incurred by or on behalf of the City in connection with this Resolution or the publication of notices of any public hearings to be held in connection herewith, whether or not the proposed refunding and refinancing is consummated.

SEC. 7. AND BE IT FURTHER RESOLVED, That the passage of this Resolution shall not in any way indicate the approval of, or constitute any commitment for approval by, the City or any of its officers or employees of, any license, permit, application or any other request to the City with respect to the refunding of the Note or the refinancing of the costs of acquisition of the Facility or the operation of the Facility.

SEC. 8. AND BE IT FURTHER RESOLVED, That no further action by the City is necessary to effect the refunding of the Note or the refinancing of the costs of acquisition of the Facility by the Authority or the completion of the transactions contemplated in this Resolution, including, without limitation, the issuance and sale of the Bonds.

SEC. 9. AND BE IT FURTHER RESOLVED, That in accordance with Section 13-138(e) of the MIDFA Act, this Resolution is administrative in nature, not subject to the procedures required for legislative acts of the City and not subject to referendum.

SEC. 10. AND BE IT FURTHER RESOLVED, That this Resolution shall take effect on the date of its enactment.

October 10, 1988

KURT L. SCHMOKE, Mayor

ORDINANCE NO. 13

(Council No. 373)

A RESOLUTION concerning

MULTI-FAMILY HOUSING REVENUE BONDS
(CHERRILL ASSOCIATES PROJECT)

FOR the purpose of authorizing and empowering the Mayor and City Council of Baltimore (the "City") to issue, sell and deliver, at any time or from time to time and in one or more series, as limited obligations of the City and not upon its full faith and credit, its economic development revenue bonds, to be designated "Mayor and City Council of the City of Baltimore, Maryland Multi-family Housing Revenue Bonds (Cherill Associates Project)" (or other appropriate designation), in the aggregate principal amount not to exceed \$6,050,000 (the "Bonds"), pursuant to Sections 14-101 to 14-109 inclusive, of Article 41 of the Annotated Code of Maryland (1986 Replacement Volume and 1987 Cumulative Supplement), as amended, for the sole and exclusive purpose of financing the costs, charges, fees and expenses in connection with one or more of the following (i) the acquisition by Cherill Associates General Partnership, a

Maryland partnership (the "Borrower") of an approximately 479, 160 square foot tract of land located at 203 Cherry Hill Road in Baltimore City, MD 21225 (the "Land"), (ii) the renovation of 160 buildings containing approximately 320 residential rental units on the Land, known as Cherill Apartments (collectively, the "Building"), (iii) the acquisition and installation in the Building of such machinery and equipment, and any or all other improvements therein, as may be necessary or useful in connection with the operation of the residential rental units, (iv) the acquisition of such other interests in land as may be necessary or suitable for the foregoing, including roads and rights of access, utilities and other necessary site preparation facilities, and (if necessary) the funding of reserves and payment of interest on the Bonds, said facility to be owned by the Borrower and leased to various residential tenants; making certain legislative findings; authorizing the loan of the proceeds of the Bonds to the Borrower; authorizing and empowering the Mayor of the City, prior to the issuance, sale and delivery of the Bonds, by Executive Order or otherwise, to (a) specify, prescribe, determine, provide for or approve certain details, forms, documents or procedures in connection with the Bonds issued hereunder and the loan of the proceeds of the Bonds to the Borrower and any other matters necessary or desirable in connection with the authorization, issuance, sale, and payment of the Bonds, including, but not limited to, the form, designation, terms, provisions, manner or method of issuing and selling, and the time or times of issuance, and any and all other details of the Bonds, and (b) do any and all things necessary, proper or expedient in connection with the issuance and sale of the Bonds;

Authorizing the Mayor of the City to accept the letter of intent from the Borrower dated August 4, 1988; providing that the authorization for the issuance of the Bonds hereunder shall be of limited duration and for one six month extension of such authorization; and generally providing for and determining various matters and details in connection with the authorization, issuance, security, sale and payment of the Bonds.

RECITALS

The Maryland Economic Development Revenue Bond Act, Sections 14-101 through 14-109, inclusive, of Article 41 of the Annotated Code of Maryland (1986 Replacement Volume and 1987 Cumulative Supplement) (the "Act") constitutes those provisions of Maryland law authorizing the issuance of industrial development revenue bonds by all the counties and municipalities of the State of Maryland (the "State").

The Act empowers the counties and municipalities of the State to issue revenue bonds, bond anticipation notes, notes in

the nature of commercial paper and other instruments, certificates or evidences of obligation and to loan the proceeds of the sale of such revenue bonds to a facility applicant (as defined in the Act) to finance the acquisition (as that term is defined in the Act) by such facility applicant of a facility (as that term is defined in Section 14-101 of the Act). The Act declares it to be its legislative purpose, among others, to promote the health, welfare and safety of the residents of each of the counties and municipalities of the State.

The City has received a letter of intent (as contemplated by Section 14-101(h) of the Act) dated August 4, 1988 (the "Letter of Intent"), from Cherill Associates General Partnership, a Maryland partnership and a facility applicant (as defined in the Act) (hereinafter referred to as the "Borrower") pursuant to which the Borrower has requested the City to participate in the financing of the acquisition (within the meaning of the Act) by the Borrower of a facility (within the definition of the Act) to be located in Baltimore City, Maryland (the "Facility") by the issuance and sale by the City of its Multi-family Housing Revenue Bonds (Cherill Associates Project) in an aggregate principal amount not exceeding \$6,050,000 (the "Bonds"), and by loaning the proceeds of the Bonds to the Borrower upon the terms and conditions of one or more loan or other agreements to be entered into between the City and the Borrower (collectively, the "Loan Agreement"), as permitted by the Act (such loan being herein referred to as the "Loan").

The Facility will consist generally of the following (i) the acquisition of an approximately 479,160 square foot tract of land located at 203 Cherry Hill Road in Baltimore City, MD 21225 (the "Land"), (ii) the renovation of 160 buildings containing approximately 320 residential rental units on the Land, known as Cherill Apartments (collectively, the "Building"), (iii) the acquisition and installation in the Building of such machinery and equipment, and any or all other improvements therein, as may be necessary or useful in connection with the operation of the residential rental units, and (iv) the acquisition of such other interest in land as may be necessary or suitable for the foregoing, including roads and rights of access, utilities and other necessary site preparation facilities. It is intended that the Borrower will lease the Facilities to various residential tenants and that the Borrower will set aside units for low and moderate income tenants as required under Section 142(d) of the Internal Revenue Code of 1986, as amended and the regulations promulgated thereunder (collectively, the "Code").

The City has determined to accept the Letter of Intent, to issue and sell the Bonds in an aggregate principal amount not exceeding \$6,050,000 and to lend the proceeds of the Bonds to the Borrower on the terms and conditions to be set forth in the Loan Agreement in order to help finance the acquisition of the Facility by the Borrower.

As security for the Bonds, the City will, for each series of the Bonds, enter into either (a) a Trust Agreement (the "Trust Agreement") with a corporate trustee (the "Trustee") to be appointed by the Mayor of the City (the "Mayor") as provided herein or (b) an Assignment and Security Agreement or Loan and Financing Agreement or other similar agreement (the "Assignment") with the original purchaser of the Bonds (the "Original Purchaser"), and, if appropriate, a trustee or trustees (which may be the Original Purchaser) (collectively, the "Project Fund Trustee"). Pursuant to the Trust Agreement or the Assignment, the City will assign to the Trustee or, if the Assignment is entered into, the Original Purchaser or other applicable party, its successors and assigns, (among other things) (a) all of the City's right, title and interest in and to and remedies under the Loan Agreement, including (without limitation) all security referred to therein, excepting only the rights of the City to indemnification by the Borrower and to payments to the City for expenses incurred by the City itself, to receive copies of any notices or reports filed or required to be filed with the Internal Revenue Service or other governmental agencies and to receive at Borrower's expense an opinion of Bond Counsel that any changes in the Project made subsequent to the issuance of the Bonds shall not have any adverse impact on the rights or interests of the City or the tax exempt status of the Bonds under federal and state law, (b) the receipts and revenues of the City from the Loan, (c) certain moneys which are at any time or from time to time on deposit with the Trustee or the Project Fund Trustee. The financing of the Facility to be accomplished in the form of a loan to the Borrower and the acquisition of the Facility by the Borrower with the loan proceeds. It is in the best interest of the citizens of the City to finance the acquisition of the Facility by a loan of the Bond proceeds to the Borrower and the acquisition of the Facility by the Borrower with the loan proceeds.

(d) Neither the Bonds nor the interest thereon shall ever constitute a pledge of, or involve the faith and credit or the taxing power of, the City, and neither shall constitute a debt of the City within the meaning of Section 7 of Article XI of the Constitution of Maryland or any other constitutional, statutory or charter provision limiting or restricting the sale or issuance of bonds, notes or other obligations of the City, and neither shall ever constitute or give rise to any pecuniary liability of the City. The Bonds and the interest thereon shall be limited obligations of the City and shall be repayable by the City solely from the revenue derived from Loan repayments (both principal and interest) made by the Borrower on account of the Loan, and from any other moneys made available for such purposes. The proceeds of the Bonds will be paid directly to (i) the Trustee to be held and disbursed by the Trustee as provided in the Trust Agreement or (ii) if deemed appropriate by the Mayor, by the Project Fund Trustee as provided in the Assignment or, (iii) if deemed appropriate by the Mayor, the Borrower. Payments of the

principal of and premium (if any) and interest on the Loan will be paid by the Borrower directly to the Trustee as provided in the Trust Agreement or to the Original Purchaser, its successors and assigns, as provided in the Assignment, to be approved by the Mayor. No such moneys will be commingled with the City's funds or will be subject to the absolute control of the City, but will be subject only to such limited supervision and checks as are deemed necessary or desirable by the City to insure that the proceeds of the Bonds are used to accomplish the public purposes of the Act and this Resolution. The loan form of the transaction authorized hereunder shall in no event constitute a capital project within the meaning of any charter or statutory provision. The public purposes expressed in the Act are to be achieved by facilitating the acquisition and installation of the Facility by the Borrower.

(e) The security for the Bonds shall be solely and exclusively (i) the absolute, irrevocable and unconditional obligation of the Borrower to make the payments required by the Loan agreement, (ii) moneys realized from the liquidation of any lien and security interest created by the Loan Agreement and of any other lien or security interest created with respect to any property as security for the Loan or the Bonds as the Mayor may approve, (iii) revenues from or arising in connection with securities or contracts purchased or otherwise acquired with or in connection with the Bonds, and (iv) monies realized from any guaranty of the Bonds or of the Loan.

SEC. 3. AND BE IT FURTHER RESOLVED, That the City is hereby authorized and empowered to issue, sell and deliver, at any time or from time to time and in one or more series, and as limited obligations of the City and not upon its full faith and credit, its Multi-family Housing Revenue Bonds (Cherill Associates Project), (or such other designation as the Mayor shall approve by executive order or other appropriate approval) in the aggregate principal amount not to exceed \$6,050,000, subject to the provisions of this Resolution.

SEC. 4. AND BE IT FURTHER RESOLVED, That the Bonds shall bear interest at the rate or rates of interest (including interest at variable rates) to be determined by negotiation with the original purchaser or purchasers of the Bonds and to be approved and prescribed by the Mayor as provided herein.

SEC. 5. AND BE IT FURTHER RESOLVED, That the definitive Bonds, which may be engraved, printed or typewritten, including the Trustee's certificate of authentication if any, to be endorsed thereon, shall be in such form, not inconsistent with the Act and the provisions of this Resolution, as the Mayor may approve.

SEC. 6. AND BE IT FURTHER RESOLVED, That the Bonds shall be executed in the name of the City and on its behalf by the Mayor

of the City, by his manual or facsimile signature, and the corporate seal of the City or a facsimile thereof shall be impressed or otherwise reproduced thereon and attested by a Custodian of the City Seal, by his manual or facsimile signature, and/or by such other officials as shall be required or permitted by law and approved by the Mayor by executive order. The Loan Agreement, the Trust Agreement or the Assignment and, where applicable, all other documents as the Mayor shall deem necessary to effectuate the issuance, sale and delivery of the Bonds, shall be executed in the name of the City and on its behalf by the Mayor of the City by his manual or facsimile signature, and, if applicable, the corporate seal of the City or a facsimile thereof shall be impressed or otherwise reproduced thereon and attested by a Custodian of the City Seal by his manual or facsimile signature, as required by law. In case any officer whose signature or a facsimile of whose signature shall appear on the Bonds or any of the aforesaid documents shall cease to be such officer before the delivery of the Bonds or any of the other aforesaid documents, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in the office until delivery. The Mayor, the Director of Finance of the City, the Custodian of the City Seal and other officials of the City are hereby authorized and empowered to do all such acts and things and execute such documents and certificates as the Mayor may determine to be necessary to carry out and comply with the provisions hereof.

SEC. 7. AND BE IT FURTHER RESOLVED, That the Bonds shall be executed, issued and delivered at any time or from time to time and in one or more series and in such amount or amounts not exceeding, in the aggregate, the principal amount of \$6,050,000 as the Mayor shall prescribe.

SEC. 8. AND BE IT FURTHER RESOLVED, That the Bonds shall be dated, shall be in such denominations, shall be of such form and tenor, and shall be payable in such amounts, at such times and at such place or places as the Mayor shall prescribe.

SEC. 9. AND BE IT FURTHER RESOLVED, That prior to the issuance, sale and delivery of the Bonds, the Mayor, by executive order or otherwise, shall specify, determine, provide for or approve, all or any of the following matters, details, forms, documents or procedures in connection with the Loan and the Bonds:

(a) The terms and provisions of the Bonds, including, without limitation, the principal amount of the Bonds, the maturity or maturities of the Bonds, the rate or rates of interest the Bonds are to bear (which may be a variable rate) and the redemption provisions of the Bonds;

(b) The form, designation and tenor of the Bonds, including the determination as to whether the Bonds shall be issued in one

or more series, the form in which the Bonds are issued, and the designation of each series of Bonds;

(c) The terms and provisions and form of the Loan Agreement between the City and the Borrower and the terms and provisions and form of any notes or other evidences of obligation issued by the Borrower pursuant to the Loan Agreement;

(d) The terms and provisions and form of the Assignment or Trust Agreement by which the City assigns and transfers, without recourse, all of its rights, title and interest in and to, and remedies with respect to (except for certain rights to indemnification and to payment of administrative expenses of the City, including any enforcement remedies available to the City with respect thereto) the receipts and revenues of the City from the Loan as set forth in Section 2 hereof;

(e) The determination as to whether the proceeds of the Bonds shall be paid directly to the Borrower or paid to, and disbursed by, a trustee or trustees or agent for the benefit of the holders of the Bonds, if any such agent, trustee or trustees is appointed, and, if necessary, the appointment of such agent, trustee or trustees, provided that such agent, trustee or trustees shall have been approved by the original purchasers of the Bonds or shall be a financial institution which regularly serves in such a capacity or a similar capacity;

(f) The determination as to whether the Loan payments shall be made directly to the holder or holders of the Bonds or to an agent, trustee or trustees for the benefit of the holders of the Bonds, and, if necessary, the appointment of such agent, trustee or trustees, provided that such agent, trustee or trustees shall have been approved by the original purchasers of the Bonds or shall be a financial institution which regularly serves in such capacity or a similar capacity;

(g) The determination as to whether the assignment of the receipts and revenues of the City from the Loan should be made directly to the holder of the Bonds or to an agent, trustee or trustees for the benefit of the holders of the Bonds, and, if necessary, the appointment of such agent, trustee or trustees, provided that such agent, trustee, or trustees shall have been approved by the original purchasers of the Bonds or shall be a financial institution regularly serving in such capacity or a similar capacity;

(h) The determination of whether a bond registrar and/or paying agent or agents should be appointed with respect to the Bonds and, if necessary, the appointment of such bond registrar and/or paying agent(s), provided that in each case such bond registrar and/or paying agent(s) shall have been approved by the original purchasers of the Bonds or shall be a financial institution(s) regularly serving in such capacity or a similar capacity;

(i) The form of, and the terms and provisions, delivery or payment of or for the Bonds for the Loan, including, without limitation, the creation of security for the Bonds and the Loan and provisions for the administration of the Bonds, such as trusts or other instruments with banks or trust companies

regarding countersignature or delivery of the Bonds or security for the Bonds or the Loan.

SEC. 10. AND BE IT FURTHER RESOLVED, That neither the Bonds nor the interest thereon shall ever constitute a pledge of or involve the faith and credit or the taxing power of the City, and neither shall ever constitute a debt of the City within the meaning of Section 7 of Article XI of the Constitution of Maryland or any other constitutional, statutory or charter provision limiting or restricting the sale or issuance of the bonds, notes or other obligations of the City, and neither shall ever constitute or give rise to any pecuniary liability of the City. The Bonds, and the interest thereon, shall be limited obligations of the City, the principal of and interest on which Bonds shall be payable by the City solely from the revenue derived from Loan repayments (both principal and interest) made to the City by the Borrower on account of the Loan and, to the extent provided by the Mayor, from the proceeds of the Bonds, and from any other monies made available to the City for such purpose.

SEC. 11. AND BE IT FURTHER RESOLVED, That this Resolution constitutes the present intent of the City to issue the Bonds and the Mayor is hereby authorized to accept the Letter of Intent on behalf of the City in order to further evidence the commitment of the City to issue the Bonds for the benefit of the Borrower. The City intends that the enactment of this Resolution shall be and constitute "official action" within the meaning of Section 1.103-8(a)(5) of the Income Tax Regulations prescribed by the United States Department of Treasury pursuant to the Code. The City and the Borrower contemplate that, upon the effectiveness of this Resolution, the Borrower at its own risk may commence the acquisition of the Facility prior to the issuance, sale and delivery of the Bonds.

SEC. 12. BE IT FURTHER RESOLVED, That the issuance of the Bonds may be subject to the availability of an allocation under the volume cap established pursuant to Section 146 of the Code. Enactment of this Resolution does not guarantee a volume cap allocation or constitute a commitment to reserve a portion of the volume cap for the Bonds.

SEC. 13. BE IT FURTHER RESOLVED, That, as permitted by the Act, the Bonds may be sold at public (competitive bid) sale or by private (negotiated) sale and upon such terms (at, above, or below par) and conditions as the Mayor shall approve. The Council deems it to be in the best interests of the City to authorize the Mayor to determine the method, and to approve the terms, of the sale of the Bonds, within the limitations of the Act and this Resolution.

SEC. 14. AND BE IT FURTHER RESOLVED, That, as permitted by the Act, the provisions set forth in this Resolution for the

issuance and sale of the Bonds are intended and shall be deemed to include provisions for the issuance and sale of bond anticipation notes without the adoption of any further resolution or other action by the legislative body of the City. Accordingly, the words "bonds" and "Bonds", as used in this Resolution, shall include such bond anticipation notes, unless the context clearly requires a contrary meaning. At no time shall the aggregate principal amount of any bond anticipation notes exceed the amount set forth in Section 3 hereof. It is intended that the aggregate principal amount of issued and outstanding bond anticipation notes when added to the aggregate principal amount of issued and outstanding Bonds, in anticipation of which such notes were issued, shall not exceed the aggregate principal amount set forth in Section 3 hereof at any time. The City will agree to pay any bond anticipation notes issued pursuant to this Resolution and the interest and premium, if any, thereon from the proceeds of the bonds in anticipation of the sale of which such notes are issued, and the City will agree to issue such Bonds when, and as soon as, the reason for deferring the issuance of the Bonds no longer exists. The timely issuance of such Bonds, however, is dependent upon matters not within the control of the City, including (without limitation) the existence of a purchaser or purchasers for such Bonds and the effectiveness of various actions taken by the borrower, its officers, agents and employees.

SEC. 15. AND BE IT FURTHER RESOLVED, That the Borrowers shall agree:

a. It will submit the plans and specifications for this facility to the Department of Housing and Community Development for approval with the understanding that the Department of Housing and Community Development may consider without limitation: the economic feasibility of any construction and the suitability of any site plan, architectural treatment, building plans, elevations, materials, color, construction detail, access parking, loading, landscape, identification signs, exterior lighting, refuse collection, details, streets, sidewalks and harmony between the plans and the surroundings of the facilities and that the Department of Housing and Community Development may refuse approval of any such plans of specifications for aesthetic or functional reasons;

b. The Borrower and its developers will work with the design advisory group appointed by the Department of Housing and Community Development in order to achieve high quality site, building and landscape design; and

c. By its acceptance of the benefits provided hereunder, the Borrower will

1. Comply with first source employment requirements established by the Board of Estimates as applicable to projects funded by obligations issued by the City; and

2. Not commence construction of any facility until an agreement incorporating the above requirements has been entered into with the City.

SEC. 16. AND BE IT FURTHER RESOLVED, That the provisions of this Resolution are severable, and if any provision, sentence, clause, section or part hereof is held illegal, invalid or unconstitutional or inapplicable to any person or circumstances, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Resolution or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Resolution would have been passed if such illegal, invalid or unconstitutional provision, sentence, clause, section or part had not been included herein, and if the person or circumstances to which this Resolution or any part hereof are inapplicable had been specifically exempted herefrom.

SEC. 17. AND BE IT FURTHER RESOLVED, That this Resolution is intended to be, and shall constitute, evidence of the intent of the City to issue and deliver the Bonds authorized hereby in accordance with the terms hereof, provided however, that if no Bonds have been issued pursuant to this Resolution within six months after the effective date of this Resolution or prior to December 31, 1988, whichever first occurs, the authority of the City to issue the Bonds granted hereunder shall end; provided, however, that the Board of Finance of the City (the "Board") may, after a showing of good cause at a public hearing held before the Board, extend such authorization for one additional term not to exceed six months. The Board, in its sole discretion, shall determine the sufficiency, or lack thereof, of the reasons presented for any requested extension of this Resolution. If an extension is granted, notice of such extension and the reasons therefor must be sent to the City Council.

SEC. 18. AND BE IT FURTHER RESOLVED, That this Resolution shall take effect on the date of its enactment.

November 15, 1988

KURT L. SCHMOKE, Mayor

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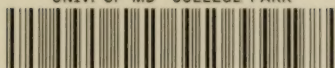
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